



"Making a Difference"

11

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

MEETING DATE July 13, 2006	CONTACT/PHONE James Caruso, Senior Planner (805) 781-5702	APPLICANT San Luis Obispo County	FILE NO. LRP2004-00026
SUBJECT A request by County Planning and Building for an amendment to the Salinas River Area Plan of the Land Use Element and Land Use Ordinance by changing land use categories and amending or adding planning area standards at eleven locations within the community of San Miguel to achieve consistency with the community vision of San Miguel. The land use category changes are as follows: Industrial to Commercial Retail (4.2 acres), Industrial to Commercial Service (7.4 acres), Industrial to Residential Single Family (7.4 acres), Commercial Service to Commercial Retail (4.2 acres), Commercial Retail to Office & Professional (0.8 acre); Office & Professional to Residential Multi-Family (3.4 acres), Office & Professional/Commercial Service to Commercial Retail (4.3 acres), Residential Suburban to Residential Multi-Family (9.4 acres), Residential Single Family to Residential Multi-Family (11.4 acres). The proposed amendments are located between San Luis Obispo Road and 16th Street, and between "L" Street and the eastern edge of the Urban Reserve Line, within the community of San Miguel. ED05-226 (LRP2004-00026). Supervisorial District No. 1			
RECOMMENDED ACTION Recommend to the Board of Supervisors: <ol style="list-style-type: none">1. Adoption of the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.2. Approval of the amendments to the Salinas River Area Plan, Part II of the Land Use Element and the Land Use Ordinance, as shown in the attached Exhibits LRP2004-00026:B, LRP2004-00026:C, LRP2004-00026:D and LRP2004-00026:E, based on the recommended findings listed in the attached Exhibit LRP2004-00026:A			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 26, 2006 for this project. Mitigation measures are proposed to address air quality, biological resources, cultural resources, geology and soils, hazards, public services, recreation and water and are included as standards.			
LAND USE CATEGORY RS, RSF, RMF, OP, CR, CS, IND	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER Multiple	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: See staff report			
EXISTING USES: Various			
SURROUNDING LAND USE CATEGORIES AND USES: <div style="display: flex; justify-content: space-between;"><div><i>North:</i> Agriculture <i>South:</i> Agriculture</div><div><i>East:</i> Residential Single Family; Residential Suburban <i>West:</i> Commercial Retail</div></div>			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER □ SAN LUIS OBISPO □ CALIFORNIA 93408 □ (805) 781-5600 □ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Public Works; California Public Utilities Commission; San Miguel Advisory Council requested these amendments .	
TOPOGRAPHY: Nearly level	VEGETATION: Various
PROPOSED SERVICES: Water supply: San Miguel CSD, Sewage : San Miguel CSD Fire Protection: San Miguel Fire Dept	AUTHORIZATION DATE: May 6, 2003

PROJECT SUMMARY

The proposed general plan amendment changes the land use designation on parcels in the downtown area of San Miguel. The GPA is proposed in response to the vision for the community established by the local advisory council. This new community vision includes expansion of downtown commercial retail and mixed use opportunities, deletion of the anachronistic Industrial zoning along the railroad right of way and increased densities near the downtown core.

PROPOSAL

The community plan update reflects the community vision established by the advisory council. It also recognizes changing land use patterns as the Union Pacific Railroad (UPRR) has disposed of the excess right of way along the railroad. The continued transfer of these properties will allow for future development opportunities along Mission St and will lead to creation of a more viable and vibrant downtown core.

The San Miguel Community Design Plan adopted in 2003 seeks to improve the appearance and viability of the downtown area, especially along Mission St. The subject general plan amendments are proposed in order to meet the following goals of the Design Plan:

- ▶ **Improve the appearance of the Mission Street corridor.**
- ▶ **Implement a plan for a “town center”.**
- ▶ **Improve the community’s ability to attract commercial development and housing for people of all income levels.**
- ▶ **Encourage “mixed use” development.**

The community also has an approved downtown corridor enhancement plan. This enhancement plan targets public improvements along Mission St and will include construction of curbs, gutters and sidewalks, street lighting and other public improvements. The proposed general plan amendments will complement the public infrastructure improvements.

PROPOSED LAND USE CATEGORY CHANGES

The following is a list of the proposed land use category changes:

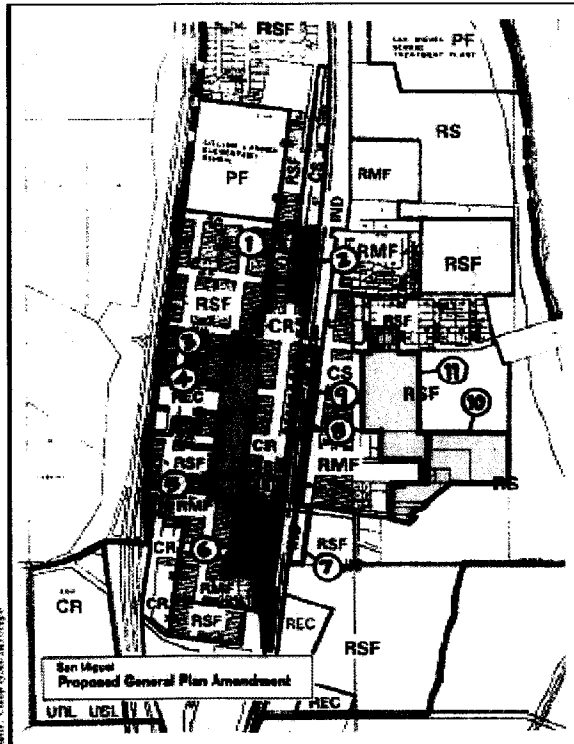
Site	Size (acres)	Existing Land Use Category	Proposed Land Use Category	Purpose
1	4.2	Commercial Service	Commercial Retail	To allow mixed-use development of all properties facing Mission Street within the Central Business District
2	3.1	Industrial	Commercial Retail	To make the land use category of the proposed 30-foot wide driveway and parking zone consistent with the land use category of the contiguous properties fronting Mission Street. No structural development is proposed.
3	0.8	Commercial Retail	Office/Professional	To correct a parcel with two land use categories
4	4.0	Office/Professional Commercial Retail (primary residential use not allowed)	Office/Professional Commercial Retail (primary residential use allowed)	Allow replacement of destroyed buildings by building permit only; no land use permit would be required
5	3.4	Office/Professional	Residential Multi-Family	Allow multi-family residential as a primary use to assure compatibility of land uses with residential uses on the west side of L Street; to encourage the location of office uses on Mission Street, where vacant or undeveloped parcels are available and where such uses are more appropriately located.
6	4.3	Office/Professional Commercial Service	Commercial Retail	To facilitate the establishment of land uses that could provide a more visually appealing linkage between the Mission and the downtown
7	7.4	Industrial	Residential Single Family	To extend the residential land use category to coincide with the revised boundaries of a parcel recently acquired from the Union Pacific railroad
8	1.1	Industrial	Commercial Retail	To make the land use category of the proposed 30-foot wide driveway and parking zone consistent with the land use category of the contiguous properties fronting Mission Street. No structural development is proposed.
9	7.4	Industrial	Commercial Service	To enable a wider range of commercial retail uses and public parks and playgrounds, while continuing to allow light industrial uses that are compatible with adjacent residential and commercial service districts
10	9.3	Residential Suburban	Residential Multi-Family (35-unit maximum)	To enable development on these parcels consistent with the development allowed on similarly-located parcels to the north and south along the west bank of the river

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11	11.4	Residential Single-family	Residential Multi-family (potential for 245 units)	To provide a logical transition zone between the Commercial Service district facing N Street and the Residential Single-family district to the east, and to more accurately reflect the actual development of the area immediately across River Road to the north
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San Miguel Urban Area General Plan Amendment

Proposed Negative Declaration



PROPOSED GPA AREAS
FIGURE 2

PROPOSED CHANGES

The proposed land use category changes re-designate Industrial and Commercial Service parcels to Commercial Retail. These changes will allow for innovative designs and smart growth development such as mixed uses, alley access, rear site parking and diagonal on street parking.

The former Industrial designated parcels had historically been owned or used by the railroad. As the company has sold these parcels, the industrial uses (ie. equipment storage and rail uses) that were inappropriate for development of a viable downtown need to be replaced with commercial uses that are appropriate for a downtown (i.e. retail, offices, housing).

Other changes are relatively minor, such as correcting the split designation on a single parcel, allowing replacement of destroyed buildings and to enable a wider range of uses that are compatible with surrounding development.

Three proposed changes will allow higher density residential uses. These areas located: 1) adjacent to the Mission Street commercial area; and 2) east of the railroad in the residential area of the town, can support additional density. The proposed changes include RS to RSF and RSF to RMF. These changes provide for development that is consistent with the area and are logical transitions between commercial service and residential uses.

Proposed Planning Area Standards

The proposed area standards include the mitigation measures recommended by the Mitigated Negative Declaration. One mitigation measure addresses the potential effects of the walls and fences required along the railroad. This design level measure will ensure that the Mission Street corridor helps the area develop into a visual compatible downtown. The San Miguel Community Design Plan is also cited in the proposed standards as other, more detailed design measures are included in that adopted policy document.

Development on lots abutting railroad property in San Miguel shall provide a barrier along the common property line to reduce the potential for trespassing on railroad property. The barrier may be in the form of a solid masonry wall or metal fence or a building located with zero setback from the property line.

The barrier must:

- *be vandal-resistant;*
- *allow for the passage of the San Joaquin kit fox from one side to the other;*
- *be designed to discourage climbing over the top;*
 - *not incorporate barbed wire, razor wire or any other component that could injure someone attempting to climb over it, except that the barrier may incorporate landscape elements such thorny vines that would act as a deterrent to climbing;*
- *be maintained by the property owner in a physically sound and visually attractive condition.*

The County may adopt a standard barrier design with input from the San Miguel Advisory Committee, railroad, county Public Works Department and the county Environmental Division. If adopted, all railroad safety barriers in San Miguel shall conform to this design.

To assure a consistently high-quality appearance within the central business district, safety barriers between 10th Street and 15th Street shall be of a common design.

In all land use categories, a fence shall be located on the common property line of any parcel that abuts the railroad property. The structure and design of the required fencing shall comply with standards approved by the Department of Planning and Building with the concurrence of the Union Pacific Railroad and California Public Utilities Commission. Fencing shall be constructed with 8-inch by 12-inch openings near the ground every 100 yards to accommodate San Joaquin kit fox migration.

MAJOR ISSUES

The major issues associated with the proposed amendments are: community design, railroad issues and noise.

Railroad: The Union Pacific Railroad maintains an active rail facility that runs north/south through the middle of the town. Current activity includes four Amtrack trains/day and 10 +/- freight trains/day. There are two active, gated crossings of the tracks at 11th and 14th Streets. The County has applied for a pedestrian crossing at 16th Street that will allow pedestrians to access the northwesterly portion of town. The Lillian Larsen School is located in that area.

A Diagnostic Review of the rail line through the town was conducted by the Department and the California Public Utilities Commission. This review was held to identify issues effecting the railroad and suggesting ways to address those issues. The report of the Diagnostic Review contains recommendations such as fencing of new development adjacent to the railroad. Planning Area standards have been proposed that will lead to the fencing of the railroad right of way from 11th to 14th Street.

Noise: The railroad is the primary noise source in this area of town. Generally, each train must sound its horn at the at-grade crossings. The horns are sounded for at 95-100 decibels. This level of noise can raise the overall noise level above the threshold 65 dB. Setbacks and noise study requirements have been included in the proposed planning area standards to address this issue.

Community Design: New development located on the vacant property on the east side of Mission Street will become the a part of the new downtown. The proposed land use designation in this area, Commercial Retail (CR) will allow for both commercial and residential uses. The existing San Miguel Community Design Plan addresses development in the downtown area. The proposed planning area standards address the safety fencing issue along the railroad.

Land Use Element Amendment

Guidelines for Land Use Category Amendments

In determining whether to approve a proposed Land Use Category Amendment, the Planning Commission and Board of Supervisors may consider, but shall not be limited to, the following items where appropriate for the proposed land use category change under consideration:

1. **Existing Planning Policies.** Whether the proposed land use category is consistent with the following:
 - a. Applicable policies in the various elements of the general plan (land use, open space, conservation, circulation, housing, safety, noise);
 - b. The general goals in Chapter 1 of Framework for Planning (Part I of the Land Use Element);
 - c. The purpose and character statements for Land Use Categories in Section B, description of land use categories;
 - d. Uses listed in Article 2 of the Land Use Ordinance, list of allowable uses;
 - e. The text, standards and maps of the area plans (Part II of the Land Use Element).
 - f. The planning area standards of Article 9 (Community Planning Standards) of the Land Use Ordinance.

The proposed GPA purpose is to allow compatible development in an adjacent to the downtown area of San Miguel. The proposed amendments are consistent with circulation, noise, safety, air quality and other policies of the general plan.

2. Area Character. Whether the proposed land use category is compatible with allowed land uses in surrounding land use categories. Whether the potential types of development resulting from a proposed amendment would adversely affect the existing or planned appearance of the countryside, neighborhood and style of development in the surrounding area.

The proposed amendments will allow for sound, downtown-compatible development in the community. The amendments also reflect the changing land use patterns in the community, especially along Mission Street. The former industrial uses along this downtown corridor will be replaced by mixed commercial and residential uses. Locations that can be developed at higher residential densities adjacent to downtown are proposed to be re-designated to multifamily densities.

3. Environmental Impacts. The proposed amendments should not enable development that would cause potential significant adverse environmental impacts as determined through an environmental determination, unless such impacts can be adequately mitigated or a statement of overriding considerations can be adopted in accordance with the California Environmental Quality Act.

A Mitigated Negative Declaration has been prepared for this GPA. All potentially significant impacts including noise, biological and cultural resources and hazards have been mitigated to a less than significant level.

4. Accessibility/Circulation. Whether the site of the proposed amendment is located with convenient access to a road system in the vicinity that is adequate to accommodate the traffic generated by the type and intensity of development allowed by the amendment.

The proposed project sites are directly accessible from existing county maintained roads. Alley access will be used when possible to reduce pedestrian conflicts along Mission St.

5. Soils Classification. Whether the proposed amendment gives consideration to protecting prime agricultural soils (SCS Class I and II, Irrigated) for potential agricultural use. Proposals in other soil classifications should be reviewed together with other site features to determine if the proposed amendment could unnecessarily limit, reduce or eliminate potentially viable agricultural uses.

Soils on the site are not considered prime.

6. Slope and Other Terrain Characteristics. Whether site terrain would be predominantly retained in its existing configuration by development enabled by the proposed amendment. Whether development resulting from the proposed amendment would retain the overall contour of a site such that more intensive development occurs on flatter land and low-density development is accommodated by steeper terrain.

The proposed amendment sites are flat. Little or no grading will be necessary to develop any of the sites.

7. Vegetation. Whether the proposed amendment enables development that would retain significant vegetation such as oak woodlands or other mature tree forests and native plant communities that provide wildlife habitat or include rare or endangered plant or animal species.

The proposed amendment sites do not contain any significant amount of vegetation. All of the sites are considered urban infill sites.

8. Hazards. Whether the proposed amendment has been evaluated with respect to potential building limitations due to flood, fire or geologic hazards, so that subsequent development will be feasible in relation to the uses allowed by the proposed amendment.

The proposed sites are not located in the flood hazard or high fire hazard area.

9. Existing Parcel Size and Ownership Patterns. Whether the proposed amendment enables development of a type and scale consistent with surrounding parcel sizes and ownership patterns.

The proposed amendments will allow for development that is more suited to a successful downtown area. The amendments are aimed at providing higher density housing, additional well located commercial zoning and close in housing around the downtown.

10. Availability of Public Services and Facilities. Whether the proposed amendment is located in an area with demonstrated availability of needed public services and facilities and, where applicable, whether it is suitable for on site disposal and has an adequate groundwater supply. To the extent that proposed amendments will create a demand for services, amendments in the urban and village areas should demonstrate that services for water supply, sewerage, streets, public safety, schools and parks are: 1) planned to be available within the time frame anticipated in the applicable area plan; or 2) a capital improvement program is in effect to provide for any such services that are currently deficient; or 3) such services and facilities will be provided as a result of approved development following the amendment.

The San Miguel Community Services District has adequate capacity to serve the sites. Local streets are also adequate to serve the sites.

11. Land Inventory. Whether the amendment, with the uses it would allow, is needed to provide a sufficient supply of land for the population of the community or area that is projected within planned resources, services and facilities.

The local advisory council's desire to enhance the community's downtown area requires these land use category changes. The Commercial Service and Industrial categories no longer reflect the mix of uses needed in the community. Commercial retail and housing designation are needed to serve the planned growth in the community.

Purpose and Character Statements

The Purpose and Character Statements of the affected land use categories are attached to this staff report.

Residential Single Family
Residential Multi Family
Office and Professional
Commercial Retail
Commercial Service

The proposed general plan amendments are consistent with these purpose and character statements. The sites are urban infill sites that are key areas to consider for the orderly development of the community.

ENVIRONMENTAL REVIEW

The Negative Declaration (attached to this staff report) prepared for the general plan amendment addresses significant impacts to cultural resources, noise and public safety. Mitigation measures have been made a part of the planning area standards.

- Noise and public safety/hazards impacts have been addressed by noise wall and fencing requirements.
- All future development will require cultural resource surveys.
- Noise walls will be design to allow the passage of kit fox

ATTACHMENTS

1. Findings
2. Land Use Category Changes
3. Land Use Ordinance Amendment
4. Purpose and Character Statements
5. Negative Declaration

FINDINGS

- A. The proposed amendments are consistent with the Land Use Element and other adopted elements of the general plan because the proposed land use categories, and planning area standards are consistent with the general goals in Framework for Planning.
- B. The proposed amendments are consistent with the Land Use Element and other adopted elements of the general plan because they will result in development that is consistent with the existing goals and policies in the general plan, consistent with the applicable purpose and character statements, compatible with the character of the general area, and provides convenient access to a road system in the area that is adequate to accommodate the traffic generated.
- C. The proposed amendments are consistent with applicable general goals of the Land Use Element by maintaining and protecting a safe and healthful living environment; including standards and programs to preserve and cultural resources and air quality; encouraging an urban environment that is an orderly arrangement of building, structures and open space appropriate to the size and scale of development for the community; designating a pattern of strategically located commercial areas compatible with overall land use that is convenient to the public, realistically related to market demand and the needs of the community.
- D. The proposed amendments will protect the public health, safety and welfare of the area residents by 1) providing for improvements to the circulation system, 2) allowing for development that is compatible with the existing development of the surrounding area by establishing standards and guidelines to assure compatible uses, protect neighborhood character, and encourage appropriately-scaled development in urban areas, 3) identifying areas potential hazards, and 4) balancing potential development with available resources.

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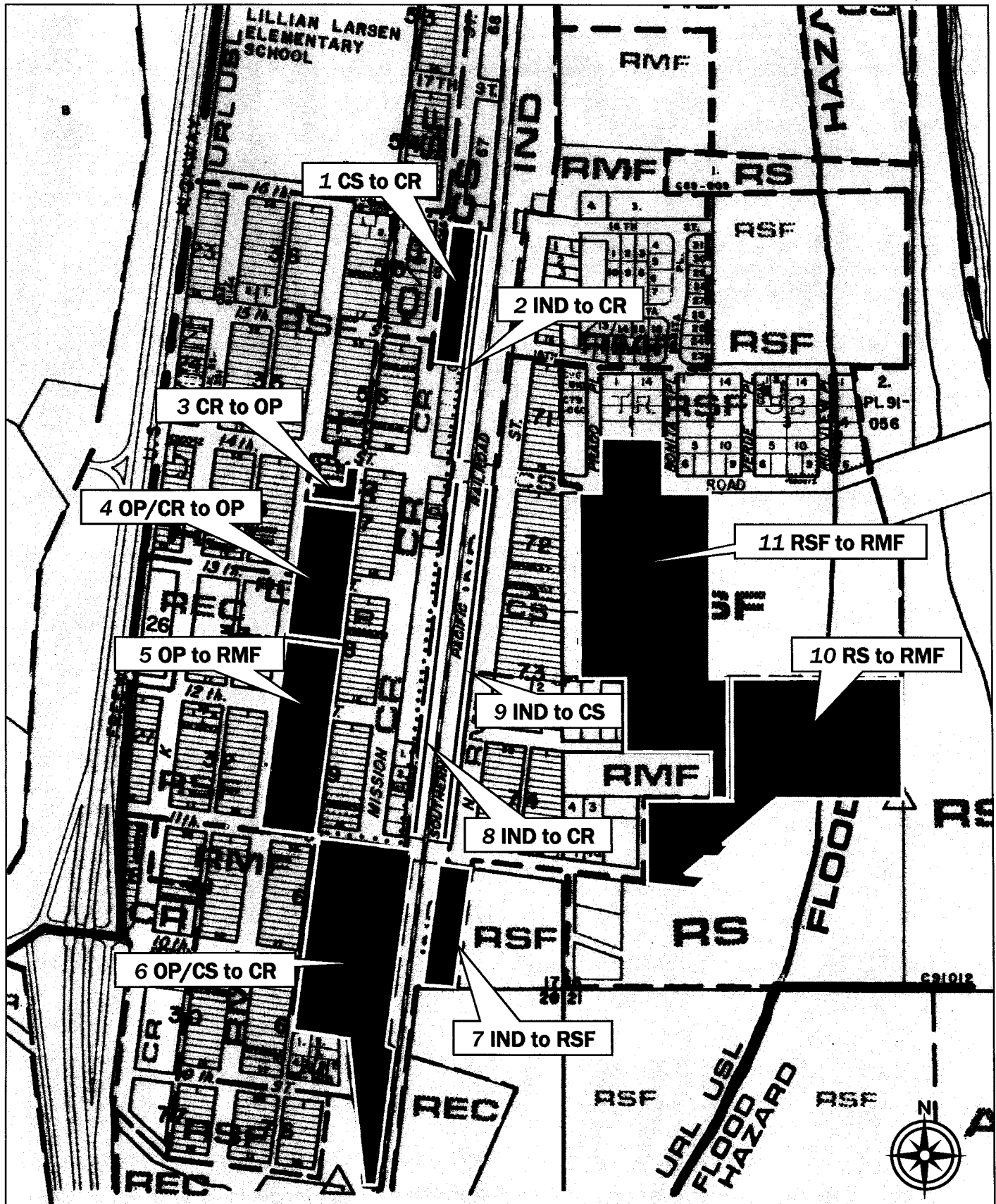


EXHIBIT LRP2004-00026:A (Land Use Designation)
 INITIATING A PRECISE LAND USE DESIGNATION AS SHOWN ON OFFICIAL LAND USE CATEGORY MAP ON FILE IN THE
 DEPT. OF PLANNING AND BUILDING

Site	Size (acres)	Existing Land Use Category	Proposed Land Use Category	Purpose
1	4.2	Commercial Service	Commercial Retail	To allow mixed-use development of all properties facing Mission Street within the Central Business District
2	3.1	Industrial	Commercial Retail	To make the land use category of the proposed 30-foot wide driveway and parking zone consistent with the land use category of the contiguous properties fronting Mission Street. No structural development is proposed.
3	0.8	Commercial Retail	Office/Professional	To correct a parcel with two land use categories
4	4.0	Office/Professional Commercial Retail (primary residential use not allowed)	Office/Professional Commercial Retail (primary residential use allowed)	Allow replacement of destroyed buildings by building permit only; no land use permit would be required
5	3.4	Office/Professional	Residential Multi-Family	Allow multi-family residential as a primary use to assure compatibility of land uses with residential uses on the west side of L Street; to encourage the location of office uses on Mission Street, where vacant or undeveloped parcels are available and where such uses are more appropriately located.
6	4.3	Office/Professional Commercial Service	Commercial Retail	To facilitate the establishment of land uses that could provide a more visually appealing linkage between the Mission and the downtown
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8	1.1	Industrial	Commercial Retail	To make the land use category of the proposed 30-foot wide driveway and parking zone consistent with the land use category of the contiguous properties fronting Mission Street. No structural development is proposed.
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11	11.4	Residential Single-family	Residential Multi-family (potential for 245 units)	To provide a logical transition zone between the Commercial Service district facing N Street and the Residential Single-family district to the east, and to more accurately reflect the actual development of the area immediately across River Road to the north

EXHIBIT LRP2004-00026:B (Land Use Designation Table)
INITIATING A PRECISE LAND USE DESIGNATION AS SHOWN ON OFFICIAL LAND USE CATEGORY MAP ON
FILE IN THE DEPT. OF PLANNING AND BUILDING

EXHIBIT LRP2004-00026:B

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE, THE LAND USE ORDINANCE, CHAPTER 22.104 BY AMENDING SECTION 22.104.070 RELATING TO THE COMMERCIAL RETAIL, COMMERCIAL SERVICE, RESIDENTIAL SINGLE FAMILY, RESIDENTIAL MULTIFAMILY AND OFFICE AND PROFESSIONAL AREAS IN THE COMMUNITY OF SAN MIGUEL

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.104.070 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding subsections 2, 3, 4, 5, 6, 7 and 8 as follows:

2. **Cultural Resources.** A Phase One Cultural Resources Report shall be submitted upon application for a grading, construction, or land use permit unless waived by the Director.
3. **Environmental Site Assessment.** Upon application for a grading, construction, or land use permit within 135 feet of the railroad, the applicant shall submit a Phase II Environmental Site Assessment and soil test results. If applicable, a risk assessment shall be prepared and procedures established to address the identification, excavation, handling, and disposal of hazardous substances. The applicant shall ensure that any identified environmental site conditions that may represent a risk to public health and safety shall be remediated in accordance with federal, state, and local environmental laws and regulations.
4. **Railroad Barrier.**
 - a. Development on lots abutting railroad property in San Miguel shall provide a barrier along the common property line to reduce the potential for trespassing on railroad property. The barrier may be in the form of a solid masonry wall or metal fence or a building located with zero setback from the property line. The barrier must:
 - be vandal-resistant;
 - allow for the passage of the San Joaquin kit fox from one side to the other;
 - be designed to discourage climbing over the top;
 - not incorporate barbed wire, razor wire or any other component that could injure someone attempting to climb over it, except that the barrier may incorporate landscape elements such thorny vines that would act as a deterrent to climbing;
 - be maintained by the property owner in a physically sound and visually attractive condition.
 - b. The County may adopt a standard barrier design with input from the San Miguel Advisory Committee, railroad, county Public Works Department and the county Environmental Division. If adopted, all railroad safety barriers in San Miguel shall conform to this design.

5. **Fencing.** In all land use categories, a fence shall be located on the common property line of any parcel that abuts the railroad property. The structure and design of the required fencing shall comply with standards approved by the Department of Planning and Building with the concurrence of the Union Pacific Railroad and California Public Utilities Commission. Fencing shall be constructed with 8-inch by 12-inch openings near the ground every 100 yards to accommodate San Joaquin kit fox migration.
6. **Noise Study.** Upon application for a grading, construction, or land use permit for a noise sensitive land use within the Commercial Retail, Commercial Service, Office/Professional, and Residential Multi-family land use categories within areas exposed to outdoor noise levels exceeding 60 decibels (as delineated by the County Noise Element), a Noise Analysis Study shall be submitted. Noise sensitive land uses include residential uses (except temporary dwellings and accessory structures), public assembly and entertainment facilities, bed and breakfast facilities, hotels and motels, schools, outdoor sports and recreation facilities, and offices. The Noise Analysis Study shall identify existing and future noise levels, potential noise exposure, and recommendations for noise attenuation in compliance with the County Noise Element.
7. **Noise Barriers.** To assure a consistently high-quality appearance within the central business district, safety and noise barriers between 10th Street and 15th Street shall be of a common design.
8. **Noise Setback.** New residential development and associated outdoor use areas (excluding non-habitable structures) shall be prohibited within 113 feet of the railroad or other distance that complies with the requirements of the County Noise Element.

SECTION 2: Section 22.104.070B of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding new subsection 4 as follows:

4. **Mixed Use Development.** Residential quarters and the following commercial uses shall not be established within the same building: nail salons, dry-cleaners, coffee roasters, gasoline stations, furniture refurbishing/refinishing, and any type of spray paint operation.

SECTION 3: Section 22.104.070F of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby renumbered as 22.104.070G, Figure 104-54 added and all subsequent figures renumbered and a new subsection F added as follows:

- F. **Residential Multi-Family (RMF).** The following standard applies within the Residential Multi Family land use category areas as shown on Figure 104-54:
 1. Upon application for a grading, construction, or land use permit east of the Union Pacific Railroad, the applicant shall submit the following biological reports:
 - a. Vernal Pool Habitat Evaluation
 - b. In-season Floristic Botanical Survey

2. Any land division shall be clustered west of the Flood Hazard (FH) combining designation, in compliance with the cluster division criteria in Section 22.22.140, or use other techniques that achieve the same result as clustering. Open space areas should be considered for the FH area (no residential site is allowable in the FH area), as well as for noise, visual, and cultural resource protection.
3. Residential development shall include the following design elements:
 - a. Link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel.
 - b. Install traffic calming modifications to roads, such as narrower streets, speed platforms, bulb-outs, and intersection modifications designed to reduce vehicle speeds.
 - c. Include easements or land dedications for bikeways and pedestrian walkways.
 - d. Provide continuous sidewalks separated from the roadway by landscaping and on-street parking.
 - e. Include adequate lighting for sidewalks and crosswalks at intersections.
 - f. Increase building energy efficiency rating by 10 percent above what is required by Title 24 requirements.
 - g. Provide street trees.
 - h. Include outdoor electrical outlets.
 - i. Provide secure on-site bicycle parking.

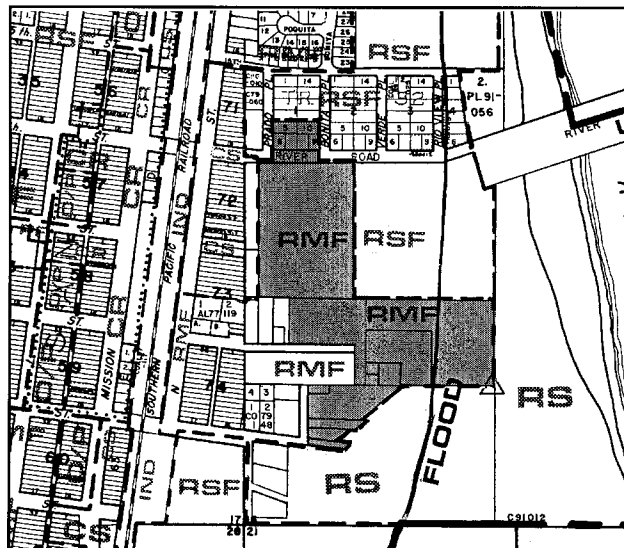


Exhibit 104-54 - RMF - East side of Highway 101

SECTION 4. That the Board of Supervisors has considered the initial study prepared and conducted with respect to the matter described above. The Board of Supervisors has, as a result of its consideration, and the evidence presented at the hearings on said matter, determined that the proposed negative declaration as heretofore prepared and filed as a result of the said initial study, is appropriate, and has been prepared and is hereby approved in accordance with the California Environmental Quality Act and the County's regulations implementing said Act. The Board of Supervisors, in adopting this ordinance, has taken into account and reviewed and considered the information contained in the negative declaration approved for this project and all comments that were received during the public hearing process. On the basis of the Initial Study and any comments received, there is no substantial evidence that the adoption of this ordinance will have a significant effect on the environment.

SECTION 5. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 6: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at a regular meeting of the Board of Supervisors held on the _____ day of _____, 2006, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 2006, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

Chairman of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California

[SEAL]

1-17

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

JAMES B. LINDHOLM, JR.
County Counsel

By: _____
Deputy County Counsel

Dated: _____

EXHIBIT C
PURPOSE AND CHARACTER

RESIDENTIAL SINGLE-FAMILY

Purpose

- a. To provide areas for single-family homes on urban-sized lots of less than one acre and mobilehome developments in communities with full urban services.
- b. To allow accessory and non-residential uses that complement single-family neighborhoods.
- c. To discourage incompatible non-residential uses in single family neighborhoods.
- d. To provide housing within a neighborhood context where social interaction is facilitated by allowing compatible non-residential uses such as small convenience stores, parks and schools.
- e. To encourage clustering of allowed densities where there are important open space attributes that are a community resource or where sensitive habitats exist.

Character

- a. Areas with single-family dwellings at gross densities from one to seven dwelling units per acre.
- b. Areas having (or programmed to receive) appropriate urban level services (see Table H).
- c. Areas within an urban or village reserve lines, and within (or programmed by an individual community plan to be within) an urban service line.
- d. Areas where the majority of land contains slopes less than 20% (with increased lot sizes required as slope increases) and where land with slopes less than 15% is available for development of building sites on all parcels.
- e. Areas generally without fragile natural resources.
- f. Areas with a landscape or viewshed of high visual quality where clustering of allowed density to less sensitive portions of a site is encouraged to be required by planning area standards.
- g. Areas where residential structures generally should not exceed two stories in height or cover more than 60% of the site.
- h. Areas where small-scale neighborhood commercial and service uses may be appropriate in limited areas if consistent with the LUE area plan and Land Use Ordinance location criteria.

RESIDENTIAL MULTI-FAMILY

Purpose

- a. To provide areas for residential development with a wide range of densities and housing types, including single-family dwellings, multi-family dwellings and mobilehome developments.
- b. To relate higher density residential development efficiently to community utilities and facilities as well as site characteristics.
- c. To locate higher residential densities in close proximity to commercial areas and community services and facilities.
- d. To offer a wider range of residential living environments than the detached single family residence.
- e. To allow diverse non-residential activities compatible with a multi-family neighborhood.
- f. To establish densities at three levels related to street capacities, distance from central business areas and public sewer service.
- g. To relate allowed densities to adequate outdoor space supportive of private recreational activity.

Character

- a. Areas of existing multi-family development.
- b. Areas that have, or are programmed to receive, full urban services (see Table H).
- c. Areas within an urban or village reserve line, and within (or programmed by an individual community plan to be within) an urban service line.
- d. Areas where the majority of land contains slopes less than 20%, (with increased lot sizes required as slope increases) and where land with slopes less than 15% is available for development of building sites on all parcels.
- e. Areas close to downtown or neighborhood commercial and public facilities, where urban infrastructure, circulation and neighborhood and community facilities are capable of handling high density residential development.
- f. Areas where structures should generally not exceed three stories in height.
- g. Multi-family density should be clustered to reserve portions of sites for usable private outdoor space and common landscaped open spaces to increase unit privacy and to visually enhance public areas.

OFFICE AND PROFESSIONAL

Purpose

- a. To provide for office and professional development in downtown community centers and civic areas.
- b. To allow for public and quasi-public uses, which are compatible with a centralized urban location or a transitional area.
- c. To provide for the concentration of office uses for their mutual benefit and convenience, as well as public convenience.
- d. To establish areas for the conduct of business that will minimize conflicts and adverse impacts on other land uses.
- e. To encourage conversion and renovation of historic or architecturally significant buildings when located in office and professional areas.

Character

- a. Transitional areas within Central Business Districts (CBD's) between residential and major commercial or public facilities, rather than components of retail or residential areas.
- b. Areas set aside to support a concentration of office uses, making office and professional activities more visible and easily accessible to the public, but not located in lengthy "strip development" corridors.
- c. Peripheral areas within central business districts in close proximity to commercial and public uses.
- d. Areas with average slopes less than 15%, and located outside environmentally sensitive or hazardous areas such as floodways or fault zones.
- e. Areas located with primary access from arterial, collector or commercial local streets, avoiding the use of local residential streets.
- f. Areas where residential use may be allowed but limited to second floor or "rear half of building" locations, to reserve ground-floor frontages for business use.

COMMERCIAL RETAIL

Purpose

Central Business District (CBD) areas:

- a. Provide centralized locations for stores, offices, service establishments and amusements, offering a wide range of commodities and services scaled to meet neighborhood and community general shopping needs.
- b. Provide areas for a concentration of business and public facilities to encourage pedestrian circulation for public convenience and for mutual benefit.
- c. To allow for limited multi-family residential uses only as secondary to commercial uses.
- d. To allow community scale shopping centers if designed for street pedestrian shopping; regional shopping centers should be located within incorporated cities.

Visitor-Serving Commercial areas:

- e. To provide limited areas for highway traveler services and uses associated with tourists and vacationers within urban areas on collectors or arterials or in rural areas where other commercial areas are distant.
- f. To allow for commercial and compatible accessory uses related to resort or recreational activities.

Neighborhood Commercial areas:

- g. To provide convenient locations for retail commercial and service establishments to meet daily shopping needs of residential areas.

Character

CBD areas:

- a. Areas for retail businesses and services that supply a full range of occasional and daily community commercial needs, located within an urban service line.
- b. Uses that are economically and physically compatible, mutually supportive in function and location.
- c. Areas of intense retail commercial use in centralized locations serving as "drawing cards" for local and regional trade to minimize travel requirements for comparison shopping.
- d. An identified Central Business District (CBD) that can support improvement districts, parking districts and other improvements to prevent "leakage" to other commercial centers outside the region they intend to serve.
- e. Areas where residential uses are limited to second floor or "rear-half of building" locations, to reserve ground floor frontages for business use.

Visitor-Serving Commercial Areas:

- f. Areas that serve transient and tourist needs incidental to traveling rather than local or regional residential demands, located within urban or village areas or at remote locations distant from urban or village areas where highway services already exist or would be accommodating of traveler safety in new locations.
- g. Areas where the following use groups from Table O are eligible:
 - Libraries and museums
 - Collection stations
 - Eating and drinking places
 - Food and beverage sales
 - Service stations
 - Financial services
 - Public safety facilities
 - Accessory storage
 - Bed and breakfast facilities
 - Hotels
 - Motels
 - Personal services
 - Recreational vehicle parks
 - Pipelines and power transmission
 - Transit stations and terminals, and
 - Truck stops
- h. Areas that are easily accessible and apparent from regional transportation routes.
- i. Areas in communities that are close to cultural, recreational and entertainment destinations or where needed to provide travel and tourism services.
- j. Areas that concentrate tourist accommodations and services and preclude functionally unrelated multi-family and retail commercial uses, discouraging dispersion of motels and other highway commercial uses in other commercial or residential areas.

Neighborhood Commercial areas:

- k. Limited areas where small-scale neighborhood commercial and service uses can be allowed to enable each community to attain self-sufficiency in regard to day-to-day shopping needs without disrupting the residential character of the area.
- l. Locations between residential areas and downtown areas along collector or arterial streets which serve to reduce the number of shopping trips for daily needs and to encourage walking or bicycling.
- m. Sites between two and five acres in size, related to the population within a one-half to one mile radius market area.
- n. Areas with individual uses of generally less than 8,000 square feet of floor area to support small-scale business, with site and building design to blend with surrounding residential character.

The following use groups from Table O are eligible to be allowed in neighborhood commercial areas, with a maximum of 8,000 square feet for any use unless otherwise noted:

- Nursery specialties
- Membership organization facilities
- Collection stations
- Small scale manufacturing
- Building materials and hardware
- Eating and drinking facilities (maximum 80 seats)
- Food and beverage retail sales
- General merchandise stores (2,000 square feet each, up to maximum of 25% of total floor area on a site)
- Outdoor retail sales
- Service stations
- Financial services
- Offices (2,000 square feet each, up to a maximum of 25% of floor area on a site)
- Offices, temporary
- Personal services
- Public safety facilities
- Repair services, consumer
- Accessory storage
- Temporary construction yards
- Pipelines and power transmission
- Transit stations and terminals
- Vehicle storage

COMMERCIAL SERVICE

Purpose

- a. To provide areas for commercial or industrial trade services and light manufacturing where they will not adversely affect surrounding properties.
- b. To protect adjacent incompatible uses from harmful influences and prevent intrusion of conflicting uses.
- c. To provide suitable locations for retail, wholesale, heavy commercial and service establishments usually located near highway traffic or where terminal facilities are convenient.

Character

- a. Areas characterized by existing heavy commercial, service, and small-scale industrial uses.
- b. Areas where uses generally serve occasional needs rather than day-to-day needs.
- c. Areas and uses that will not create extensive, incompatible land use mixtures.
- d. Areas within urban service and reserve lines, or village reserve lines.
- e. Areas located to promote infill and restructuring of existing heavy and service commercial areas and discourage proliferation of scattered service uses.
- f. Areas appropriate for developments using planned development concepts where unified landscaping, signing, building design, service capabilities and adequate circulation can be ensured.
- g. Areas located to have access from collector and arterial streets to avoid use of residential streets for access or deliveries.
- h. Areas with slopes less than 15 percent and located generally outside of flood ways, fault zones and other hazardous or environmentally sensitive areas.

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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (jrc)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED05-226

DATE: June 8, 2006

PROJECT/ENTITLEMENT: San Miguel Urban Area General Plan Amendments LRP2004-00026

APPLICANT NAME: County of San Luis Obispo Planning and Building Department

ADDRESS: County Government Center Room 310

CONTACT PERSON: James Caruso

Telephone: 805-781-5702

PROPOSED USES/INTENT: County (San Miguel Urban Area) General Plan and Land Use Ordinance Amendments. Request by County Planning and Building for an amendment to the Salinas River Area Plan of the Land Use Element and Land Use Ordinance by changing land use categories and amending or adding planning area standards at eleven locations within the community of San Miguel to achieve consistency with the community vision of San Miguel. The land use category changes are as follows: Industrial to Commercial Retail (4.2 acres), Industrial to Commercial Service (7.4 acres), Industrial to Residential Single Family (7.4 acres), Commercial Service to Commercial Retail (4.2 acres), Commercial Retail to Office & Professional (0.8 acre); Office & Professional to Residential Multi-Family (3.4 acres), Office & Professional/Commercial Service to Commercial Retail (4.3 acres), Residential Suburban to Residential Multi-Family (9.4 acres), Residential Single Family to Residential Multi-Family (11.4 acres).

LOCATION: The proposed amendments are located between San Luis Obispo Road and 16th Street, and between "L" Street and the eastern edge of the Urban Reserve Line, within the community of San Miguel. ED05-226 (LRP2004-00026)

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 200
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: Environmental Health, Air Pollution Control District, California Department of Fish and Game, California Public Utilities Commission, Union Pacific Railroad

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on June 22 2006

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency

☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

1-26

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION**

De Minimis Impact Finding

PROJECT TITLE & NUMBER: San Miguel Urban Area General Plan Amendments LRP2004-00026

Project Applicant

Name: San Luis Obispo County Planning and Building Department
Address: County Government Center Room 200
City, State, Zip Code: San Luis Obispo, CA 93408
Telephone #: (805) 781-5600

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- () The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- (X) The applicable filing fees will be collected at the time of issuance of other County approvals for this project.
- () Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: _____

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. San Luis Obispo County San Miguel Urban Area General Plan Amendments; LRP2004-00026; ED05-226

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Recreation |
| <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Water |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

James Caruso [Signature] 5-26-06
Prepared by (Print) Signature Date

Jeff Oliveira [Signature] Ellen Carroll,
Reviewed by (Print) Signature (for) Environmental Coordinator 5/30/06
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: County (San Miguel Urban Area) General Plan and Land Use Ordinance Amendments. Request by County Planning and Building for an amendment to the Salinas River Area Plan of the Land Use Element and Land Use Ordinance by changing land use categories and amending or adding planning area standards at eleven locations within the community of San Miguel to achieve consistency with the community vision of San Miguel. The land use category changes are as follows: Industrial to Commercial Retail (4.2 acres), Industrial to Commercial Service (7.4 acres), Industrial to Residential Single Family (7.4 acres), Commercial Service to Commercial Retail (4.2 acres), Commercial Retail to Office & Professional (0.8 acre); Office & Professional to Residential Multi-Family (3.4 acres), Office & Professional/Commercial Service to Commercial Retail (4.3 acres), Residential Suburban to Residential Multi-Family (9.4 acres), Residential Single Family to Residential Multi-Family (11.4 acres). The proposed amendments are located between San Luis Obispo Road and 16th Street, and between "L" Street and the eastern edge of the Urban Reserve Line, within the community of San Miguel. ED05-226 (LRP2004-00026)

Table One

San Miguel Urban Area General Plan Amendments

Site	Size (acres)	Existing Land Use Category	Proposed Land Use Category	Purpose
1	4.2	Commercial Service	Commercial Retail	To allow mixed-use development of all properties facing Mission Street within the Central Business District
2	3.1	Industrial	Commercial Retail	To make the land use category of the proposed 30-foot wide driveway and parking zone consistent with the land use category of the contiguous properties fronting Mission Street. No structural development is proposed.
3	0.8	Commercial Retail	Office/Professional	To correct a parcel with two land use categories
4	4.0	Office/Professional Commercial Retail (primary residential use not allowed)	Office/Professional Commercial Retail (primary residential use allowed)	Allow replacement of destroyed buildings by building permit only; no land use permit would be required
5	3.4	Office/Professional	Residential Multi-Family	Allow multi-family residential as a primary use to assure compatibility of land uses with residential uses on the west side of L Street; to encourage the location of office uses on Mission Street, where vacant or undeveloped parcels are available and where such uses are more appropriately located.
6	4.3	Office/Professional	Commercial Retail	To facilitate the establishment of land uses

		Commercial Service		that could provide a more visually appealing linkage between the Mission and the downtown
7	7.4	Industrial	Residential Single Family	To extend the residential land use category to coincide with the revised boundaries of a parcel recently acquired from the Union Pacific railroad
8	1.1	Industrial	Commercial Retail	To make the land use category of the proposed 30-foot wide driveway and parking zone consistent with the land use category of the contiguous properties fronting Mission Street. No structural development is proposed.
9	7.4	Industrial	Commercial Service	To enable a wider range of commercial retail uses and public parks and playgrounds, while continuing to allow light industrial uses that are compatible with adjacent residential and commercial service districts
10	9.3	Residential Suburban	Residential Multi-Family (35-unit maximum)	To enable development on these parcels consistent with the development allowed on similarly-located parcels to the north and south along the west bank of the river
11	11.4	Residential Single-family	Residential Multi-family (potential for 245 units)	To provide a logical transition zone between the Commercial Service district facing N Street and the Residential Single-family district to the east, and to more accurately reflect the actual development of the area immediately across River Road to the north

SUPERVISORIAL DISTRICT # 1

ASSESSOR PARCEL NUMBERS:

- 1 021-141-001, -03x, -006, -007, -008, -009, -010, -011
- 2 021-141-03x
- 3 021-211-002
- 4 021-211-002, -017, -018; 021-261-001, -002, -003, -004, -005, -007; 021-281-002, -005, -007, -015, -019, -020, -021, -022
- 5 021-211-002, -017, -018; 021-261-003, -004, -005, -007; 021-281-002, -005, -007, -015, -019, -020, -021, -022
- 6 021-311-006, -007, -008, -013, -014, -015, -016; 021-312-001; 021-331-004, -018, -019, -022, -023; 021-351-001; 021-354-002, -004
- 7 021-221-009
- 8 021-221-001, -007, -008, -010, -012
- 9 021-221-009

10 021-401-004, -007, -011, -012; 021-241-012, -013, -014, -020

11 021-241-001, -017; 021-192-020, -021

B. EXISTING SETTING

PLANNING AREA: Salinas River, San Miguel urban area

LAND USE CATEGORIES: Residential Single-family, Residential Suburban, Industrial, Office/Professional, Commercial Retail, and Commercial Service

COMBINING DESIGNATION(S): Flood Hazard (GPA site 10)

TOPOGRAPHY: Nearly level to moderately sloping

VEGETATION: Grasses, forbs, oak trees, riparian vegetation, ruderal

PARCEL SIZES: Various

**Table Two
Existing Land Uses**

Site	Existing Land Use
1	Abandoned structure, railroad, undeveloped
2	Railroad
3	Residences, accessory structures
4	Church, residences, apartments, Verizon building, abandoned structure
5	Church, residences, apartments, Verizon building
6	Residences, apartments, industrial buildings and storage, undeveloped
7	Railroad, railroad accessory structures, undeveloped
8	Fire station, abandoned structure, undeveloped
9	Railroad, railroad accessory structures, undeveloped
10	Residences, accessory structures, pasture
11	Mobile home park, residences, accessory structures, pasture

**Table Three
Surrounding Land Use Categories and Uses**

Site	Surrounding Land Use Categories	Surrounding Land Uses
1	Office/Professional, Commercial Retail, Residential Single-family, Industrial	Residences, commercial uses, motel
2	Office/Professional, Commercial Retail, Residential Single-family, Industrial	Residences, commercial uses, motel
3	Commercial Retail, Residential Single-family	Residences, accessory structures
4	Commercial Retail, Recreation, Residential Single-family	Residences, accessory structures, commercial uses
5	Office/Professional, Commercial Retail, Residential Single-family, Residential Multi-family	Residences, accessory structures, abandoned structure
6	Residential Multi-family, Industrial	Residences, accessory structures, industrial storage

7	Commercial Service, Residential Single-family, Residential Multi-family	Residences, commercial uses
8	Commercial Retail, Commercial Service, Industrial	Residences, commercial uses
9	Commercial Service, Industrial, Residential Multi-family	Residences, commercial uses
10	Residential Single-family, Residential Multi-family, Residential Suburban	Residences, accessory structures, Salinas River
11	Commercial Service, Residential Single-family, Residential Multi-family, Residential Suburban	Residences, apartments, pasture

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site consists of eleven locations within the community of San Miguel. The project area is characterized by an urban setting, and includes portions of the San Miguel downtown core. The current visual character of the project area is urban, and existing land uses include a mix of residential, commercial, retail, and industrial development. The topography of the area is nearly level to moderately sloping, and existing vegetation includes grasses, forbs, oak trees, and landscaping. A majority of the project area is currently developed with urban uses. Existing land uses for each amendment location is shown in Table Two on the previous page.

Impact.

General Plan Amendments 1 through 9

General Plan Amendments locations 1 through 9 are located adjacent to L Street, Mission Street, and the railroad. A majority of parcels within each proposed location are currently developed with residential, commercial, public facility, and industrial uses. Existing development in these areas

appears to be in the midst of surrounding development as seen from Highway 101, located a minimum of 500 feet to the west. The highway is located at a higher elevation than the community, approximately 50 feet above Mission Street. Proposed land use amendments would result in future development, or redevelopment, consistent with a mixed-use appearance adjacent to the primary transportation routes through the community. The appearance of such development would likely change from industrial-type uses to commercial and residential structures, which would not result in a significant, adverse change in visual character. Based on the location of the project site, and existing urban character of the immediate area, implementation of the proposed amendments would not result in significant visual impacts.

General Plan Amendments 10 and 11

These two areas are located approximately 300 feet east of N Street, on the east side of the railroad. These project areas are visible from N Street, North River Road, and intermittently from Mission Street. Existing land uses within these areas include residences and undeveloped parcels. Surrounding development includes residences to the north, residences and commercial uses to the west, and scattered residential development to the south. The Salinas River and undeveloped land is located to the east. These project areas are located approximately 1,600 feet east of Highway 101, at an elevation approximately 75 feet below the highway. The proposed amendments would increase the potential density on these parcels from Residential Suburban (1.0-acre minimum parcel size) and Residential Single-family (6,000-square foot minimum parcel size) to Residential Multi-family (6,000-square foot parcel size or less for condominiums). Based on the location of the project site, in the vicinity of existing residences and a mobile home park, implementation of the proposed amendments would not significantly affect the existing visual character of the area, and would not result in significant visual impacts.

Mitigation/Conclusion. No significant visual impacts were identified, and no planning area standards or mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located within the Commercial Service, Industrial, Commercial Retail, Office/Professional, Residential Single-family, and Residential Suburban land use categories. The soil types mapped for the project area include: Hanford and Greenfield fine sandy loams (0 to 2 percent slopes), Class I (irrigated) and IVc (non-irrigated); Hanford and Greenfield fine sandy loams (2 to 9 percent slopes), Class IIe (irrigated) and IVe (non-irrigated); Hanford and Greenfield gravelly sandy loams (2 to 9 percent slopes), Class IIe (irrigated) and IVe (non-irrigated); Metz loamy sand (0 to 5 percent slopes), Class IIIs (irrigated) and IVs (non-irrigated); and, Xerofluvents-Riverwash association, Class VIIIw (non-irrigated). Based on these classifications, Hanford and Greenfield fine sandy loams (0 to 2 percent slopes), Hanford and Greenfield gravelly sandy loams (2 to 9 percent

slopes), are Metz loamy sand (0 to 5 percent slopes) are considered prime agricultural soil. Land uses within and adjacent to GPA sites 1 through 11 include residential, commercial, retail, and industrial development. Undeveloped agricultural land is located across the Salinas River corridor, approximately 300 feet east of GPA site 10.

Impact. The proposed project was referred to the County Agricultural Commissioner's Office for review, and no significant impacts were identified (Lynda Auchinachie; September 16, 2005). Implementation of the proposed amendments would not significantly impact agricultural resources because the proposed GPA sites are located within the San Miguel urban area, and are currently designated for residential, commercial, and industrial uses. The Salinas River provides a natural buffer between existing and future development within San Miguel, and existing and future agricultural uses east of the river. Implementation of the amendments would not result in a significant loss of prime agricultural soils because: 1) the GPA sites are currently designated for urban development, 2) a majority of the parcels are currently developed, and 3) the parcel sizes are not suitable for agricultural production. Based on the location of the proposed amendments and existing development within the project area, significant impacts to agricultural resources would not occur.

Mitigation/Conclusion. No significant impacts were identified, and no planning area standards are necessary.

3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Based on the latest air monitoring station information (per the County's RMS annual report, 2004), the trend in air quality in the general area is improving where unacceptable PM10 levels were exceeded once in 2002 at the Paso Robles monitoring station, which is down from the previous year (2 exceedances). The ozone standard was exceeded once at this monitoring station in 2003. The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone. In January 2004, the California Air Resources Board designated San Luis Obispo

County as being in attainment of the state ozone standard; the exceedance at the Paso Robles monitoring station did not constitute violations and did not jeopardize the recently-awarded attainment status.

The proposed project area is located a minimum of approximately 1,300 feet southwest of the existing San Miguel Sewage Treatment Plant. The treatment plant generates objectionable odors from the decomposition of sewage water in the treatment ponds. Existing development west and south of the facility are currently exposed to these odors on a periodic basis.

Impact. The proposed project was referred to the County APCD. There is a potential that establishment of future uses would result in significant short-term construction and long-term operational emission impacts on air quality. Standard construction mitigation measures for air quality would be required during the development phase of the proposed project that would substantially reduce construction-related air quality impacts. Once the future development is constructed, there will be operational emissions. These potential emissions would be determined when the applicant proposes a specific development. At that time, the APCD CEQA Handbook and consultation with the APCD would determine potential air quality impacts and appropriate mitigation measures. In addition, due to the function of wastewater treatment plants, persons living in the vicinity would be subjected to the odors generated by the facility. The generation of odors is periodic and would not result in significant impacts to the future residential development.

In addition to these standard air quality concerns, the APCD stated that some of the amendments would result in the placement of residences downwind of diesel exhaust from trains idling on the adjacent railroad tracks. In July of 1999, the California Air Resources Board (ARB) listed diesel particulate matter (diesel PM) emissions from diesel-fueled engines as a toxic air contaminant with no identified threshold level below which there are no significant effects. Based on consultation with the Union Pacific Railroad, a railyard is not present within the community of San Miguel; however, idling may occur infrequently due to customer pick-ups, or delays resulting from signals and passing freight trains (Jon Germer; January 17, 2006).

General Plan Amendments 1 through 3, 6, 8 and 9

Proposed GPAs 1 through 3 would result in the conversion of land uses from Commercial Service to Commercial Retail, Industrial to Commercial Retail, and Commercial Retail to Office/Professional. GPA 6 would result in the conversion of land uses from Office/Professional and Commercial Service to Commercial Retail, and GPAs 8 and 9 would result in the conversion of land uses from Industrial to Commercial Retail and Commercial Service. Implementation of these proposed amendments would not result in air quality impacts significantly exceeding emissions from existing development and future development that would occur under the existing land use categories. At the time specific projects are proposed, project-specific construction and operational air quality emissions would be calculated, and impacts would be determined.

General Plan Amendments 4 and 5

Proposed GPA 4 would allow residences as a principal use within the Office/Professional and Commercial Retail land use category. The APCD notes that certain mixed-use developments could result in potential nuisance problems, such as odors and dust. Proposed GPA 5 would result in the conversion of land uses from Office/Professional to Residential Multi-family. Proposed GPA site 5 is located adjacent to the Commercial Retail land use category. The following uses could be problematic if residential quarters are included in the same building: nail salons, dry-cleaners, coffee roasters, gasoline stations, furniture refurbishing/refinishing, and any type of spray paint operation.

General Plan Amendment 7

Proposed GPA 7 proposes a land use designation change from Industrial to Residential Single-family on an approximately seven-acre parcel. This parcel would be located adjacent to a parcel currently within the Residential Single-family land use designation. As discussed in Section 8 (Noise) of this document, based on the noise level generated by trains on the railroad, a 113-foot setback is required to avoid significant noise impacts. Implementation of this noise setback would prohibit the construction of residences on the parcel; however, the site may support accessory uses, an extension of N Street, and other non-habitable structures. Residences located immediately outside of the setback would not likely be buffered from train emissions, and future residents would be exposed to diesel particulate matter emitted by passing trains.

General Plan Amendment 10

Implementation of proposed GPA 10 would result in the conversion of land uses from Residential Suburban to Residential Multi-family (35-unit maximum). With the exception of one 1,600-square foot parcel, all other parcels within these areas are developed with residences and accessory structures. Proposed GPA site 10 is approximately 9.3 acres in size. Based on the subdivision design standards for the Residential Suburban land use category, this area could be subdivided into nine lots, each supporting one primary and one secondary residence. Based on Table 1-1 of the APCD CEQA Handbook, construction and operation of ten residences would generate less than 10 lbs per day of emissions, which is below the threshold requiring mitigation. Implementation of the proposed GPA would permit up to 35 multi-family residential units, which would generate less than 10 lbs per day of emissions, which is below the threshold requiring mitigation. Residential development would be located approximately 600 feet east of the railroad, and would be buffered by existing residential development to the west. Based on the location and anticipated size of future development, air quality impacts resulting from the implementation of proposed GPA 10 would be less than significant.

General Plan Amendment 11

Implementation of proposed GPA 11 would result in the conversion of land uses from Residential Single-family to Residential Multi-family. With the exception of one 7,200-square foot parcel, all other parcels within these areas are developed with mobile homes, residences and accessory structures. Proposed GPA site 11 currently supports 20 mobile homes, four apartments, and five residences. Upon implementation of the proposed GPA, the density potential for the approximately 11.4-acre project area would increase from 80 Residential Single-family lots (6,000 square feet each), supporting one primary and one secondary residence to approximately 245 Residential Multi-family units. Based on the proposed location of the land use designation amendment within an urban area and within close proximity of commercial services, the APCD supports this amendment (Andy Mutziger; October 18, 2005). Increased density within urban areas is consistent with the Clean Air Plan, and would offset potential emissions by creating an incentive for alternative forms of transportation such as walking and riding a bike. Residential development would be located approximately 500 feet east of the railroad, and would be buffered by existing residential development to the west.

Based on Table 1-1 of the CEQA Air Quality Handbook, cumulative re-development of this area may result in over 25 lbs of air emissions, resulting in a potentially significant air quality impact, requiring implementation of mitigation measures. The Handbook recommends the following site design measures to minimize air pollutant emissions: build compact communities to limit urban sprawl, mix complementary land uses and locate commercial services near higher density housing, increase residential and commercial densities along transit corridors, and prioritizing in-fill projects within the urban core and urban reserve lines (APCD; April 2003). The proposed GPA is consistent with these general policies; however additional mitigation is required to minimize the cumulative impact to less than significant.

Mitigation/Conclusion. To minimize impacts from locomotive diesel particulate matter emissions, the APCD recommends that the County, San Miguel Advisory Committee, and future developers work with the railroad to ensure train operation precautions (such as prohibiting idling) are implemented to reduce diesel particulate matter emissions and impacts to surrounding development within the community (Andy Mutziger; October 18, 2005). Based on consultation with the UPRR, the California Air Resources Board (CARB) and UPRR are parties to a Memorandum of Understanding (MOU) that would require implementation of a particulate emissions reduction program (Jon Germer; January 17, 2006). The MOU requires the following: statewide implementation of an idling-reduction program to eliminate all non-essential idling through the use of automatic shut-down devices and operational changes; maximum use of low sulfur diesel; statewide implementation of a visible emissions reduction and repair program; detailed evaluation of advanced control measures that could reduce diesel particulate emissions up to 90 percent from uncontrolled levels; assessment of remote sensing technology to identify high emitting locomotives; community and air district involvement in the preparation of risk assessments, enforcement, and evaluation and development of further measures; and enforcement provisions and financial penalties for non-compliance with the MOU (California Air Resources Board; June 24, 2005). The MOU was adopted on January 27, 2006. Implementation of the MOU would minimize statewide railroad emissions and exposure to air pollutants, including within the community of San Miguel.

General Plan Amendments 4 and 5

To ensure that future mixed-use developments do not result in significant air quality nuisances, a planning area standard shall be adopted prohibiting the establishment of residential quarters and the following uses within the same building: nail salons, dry-cleaners, coffee roasters, gasoline stations, furniture refurbishing/refinishing, and any type of spray paint operation.

General Plan Amendment 7

As discussed above, implementation of the MOU would minimize non-essential idling and the generation of air pollutant emissions. No additional planning area standards are necessary.

General Plan Amendment 11

To minimize potential cumulative impacts resulting from implementation of proposed GPA 11, the County shall adopt planning area standards requiring future development to comply with measures to reduce pollutant emissions. These measures shall include incorporation of safe, linked, alternative transportation paths and roads, traffic calming measures, easements for trails and walkways. In addition, future development shall be required to increase the building energy efficiency rating by 10 percent above what is currently required by Title 24. Additional design elements shall include street trees, outdoor electrical outlets, and secure on-site bicycle parking.

In addition to the measures listed above, to mitigate for potential project-specific impacts resulting from the development of each proposed GPA site, the County would consult with the APCD and refer to the APCD CEQA Handbook for reference. Mitigation measures may include implementation of dust control measures, use of emission-control features on construction equipment, and the use of energy efficient appliances and construction methods. Implementation of these standard measures and proposed planning area standards would reduce potential air quality impacts to a level of insignificance.

4. BIOLOGICAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is located within the community of San Miguel. The community and surrounding areas are located within the habitat range for San Joaquin kit fox and vernal pool habitat. No drainages or tributaries are located within proposed GPA sites 1 through 9 and GPA site 11, although stormwater drainage within the project area enters the Salinas River via sheet flow and sub-surface percolation. A section of the Salinas River corridor is located within the eastern portion of proposed GPA site 10.

Special-status Wildlife Species and Habitats. The proposed project area is located within the habitat range of the San Joaquin kit fox (*Vulpes macrotis mutica*), a State Threatened and Federal Endangered Species. The project site is also located within a region known to support vernal pools. Vernal pool habitat consists of seasonal wetlands (areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species. Furthermore, the project site is in an area designated as critical habitat for the vernal pool fairy shrimp (*Branchinecta lynchi*), a small aquatic crustacean that is listed as a Federal Threatened species and is associated with vernal pool habitat.

Special-status Plant Species. The proposed project area is located within the vicinity of documented sensitive plant species including shining navarretia (*Navarretia nigelliformis* ssp. *radians*), Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*), Lemmon's jewelflower (*Caulanthus coulteri* var. *lemmonii*), round-leaved filaree (*Erodium macrophyllum*), and Jared's pepper-grass (*Lepidium jaredii* ssp. *jaredii*). These species are listed as California Native Plant Society (CNPS) List 1B species (rare, threatened, or endangered in California and elsewhere), with the exception of round-leaved filaree, which is a CNPS List 2 species (rare, threatened, or endangered in California, but more common elsewhere).

Native and Other Important Vegetation. Native important vegetation within the project area includes stands of coast live oak (*Quercus agrifolia*) and valley oak trees (*Quercus lobata*) within proposed GPA sites 1, 2, 10 and 11.

Wetland or Riparian Habitat. The Salinas River corridor is located within the eastern perimeter of the project area (GPA site 10). Habitat associated with the corridor includes oak trees, willows, cottonwood trees, scrub, and grasses. A portion of GPA site 11 is undeveloped, and may support isolated wetland habitat.

Impact.General Plan Amendment 1 and 2

A majority of proposed GPA sites 1 and 2 are currently undeveloped, with the exception of one abandoned building. These sites are located adjacent to the railroad, and support grasses, forbs, one valley oak tree, and ornamental trees. Based on the degraded physical characteristics of these two sites, the habitat would not likely support special status plant species associated with the Salinas River corridor. Development of the project sites would result in the permanent conversion of San Joaquin kit fox habitat, and may result in the disturbance of vernal pool habitat, if present. In addition, impacts to the valley oak tree may occur, including removal or disturbance to the root zone. Under the current land use designations, the project site would be developed with commercial or industrial type land uses. The proposed GPA would not significantly increase the density of development on the project site, or result in any additional impacts to potential biological resources.

General Plan Amendments 3 through 9

Proposed GPA sites 3 through 9, located west of N Street, are located within existing developed or disturbed areas. The project sites are located within San Joaquin kit fox habitat, but do not demonstrate evidence of significant biological habitats for special-status plant species or vernal pools. The proposed GPAs would not significantly increase the buildable density of the project area, or result in any additional impacts to biological resources.

General Plan Amendment 10

A portion of proposed GPA site 10 is undeveloped. This site is located west of the Salinas River corridor, and potentially supports significant biological habitat that would be affected by development, including isolated wetland habitat and special-status plant species. Impacts to individual oak trees and oak woodland, including tree removal, grading within the root zone of the tree, trimming, and altering drainage patterns would result in a significant impact. Development of the project areas would result in the permanent conversion of San Joaquin kit fox habitat and potential direct impacts to San Joaquin kit fox. In addition, if present, direct and indirect impacts to vernal pool habitat could occur. The proposed land use designation amendments would increase the residential density of the project site, and may result in additional impacts to biological resources.

General Plan Amendment 11

A portion of proposed GPA site 11 is undeveloped. This site is located approximately 415 feet west of the Salinas River corridor, and supports significant biological habitat that would potentially be affected by development, including potential wetland habitat and special-status plant species. Impacts to individual oak trees and oak woodland, San Joaquin kit fox habitat, and vernal pool habitat may occur, similar to GPA site 10 (described above). The proposed land use designation amendment would increase the residential density of the project site, and may result in additional impacts to biological resources.

Mitigation/Conclusion.General Plan Amendments 1 through 11

Based on the results of previous Kit Fox Habitat Evaluations that have been conducted for the San Miguel area, the standard mitigation ratio for projects on parcels less than 40 acres in size has been established as 4:1. This means that all impacts to kit fox habitat must be mitigated at a ratio of four acres conserved for each acre impacted (4:1). Applicants have the option of hiring a qualified biologist to conduct a Kit Fox Habitat Evaluation of the project site if the applicant believes that the evaluation would lower the score and reduce the required mitigation ratio. The applicant would be required to mitigate the loss of kit fox habitat by one of the following ways: Deposition of funds into an approved in-lieu fee program; provide for the protection of kit foxes in perpetuity through acquisition of fee or conservation easement of suitable habitat in the kit fox corridor area; or purchase credits in an approved conservation bank. At this time, there is no approved Conservation Bank that is operational

in San Luis Obispo County. If none of the other three alternatives are available, the applicant may enter into a Mitigation Agreement with the Department of Fish and Game, including depositing funds into an escrow account (or other means of securing funds acceptable to the Department) which would assure the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management. To prevent inadvertent harm to kit fox, the applicant would be required to retain a biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures.

If the removal of an oak tree, or impacts to individual oak trees is proposed, the applicant would be required to replace each removed tree at a 4:1 ratio, and replace each impacted tree at a 2:1 ratio. Trees would be replaced by one-gallon, in-kind species. Replacement trees would be maintained by the applicant, and monitored by a specialist.

General Plan Amendments 10 and 11

To ensure that biological resources are assessed, upon application for development the applicant shall submit a Vernal Pool Habitat Evaluation, and a comprehensive botanical survey. If special-status plant species, wetland indicator plant species, and/or vernal pool habitat is present onsite, mitigation measures would be determined based on the specific development proposal.

In addition to the measures described above, if development is proposed within or immediately adjacent to the Salinas River corridor, impacts to riparian and potential wetland habitat would occur. To ensure that sensitive biological habitat within the Salinas River corridor is avoided, a planning area standard shall be implemented prohibiting development within the Flood Hazard zone associated with the Salinas River. Development shall be clustered to avoid impacts to significant resources.

Based on implementation of standard requirements, and the proposed planning area standard, potential impacts to biological resources would be less than significant.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located within an area historically occupied by the Southern Salinian Native Americans. Based on the results of record searches conducted in the immediate area, San Miguel is located within a culturally sensitive area, and significant archaeological and historical resources are present. California Senate Bill 18 (SB 18) requires local jurisdictions to consult with Native American tribes prior to amendments to general plans. The intent of the consultation is to preserve or mitigate impacts to Native American historic, cultural, sacred sites, features, and objects. The county is required to protect the confidentiality of information about the specific identity, location, character, and use of those places, features, and objects.

In addition, Mission San Miguel is located within the community of San Miguel, and significant historical resources have been discovered within the area.

Potential subsurface paleontological resources are not anticipated to be impacted due to the depth of alluvial river deposits adjacent to the Salinas River.

Impact. New development, and redevelopment projects within the proposed project area, including GPA sites 1 through 11, may result in the disturbance and destruction of known and unknown cultural resources. Pursuant to SB 18, a referral letter was sent to the Native American Heritage Commission (NAHC). Based on the NAHC response (September 22, 2005), a consulting referral was submitted to John Burch, representative for the Salinan Tribe. Based on Mr. Burch's response, proposed GPA sites 7, 10, and 11 "could have more of an impact on cultural resources", and future development should require an environmental document, and consultation with the Salinan tribe (John Burch; December 18, 2005).

Mitigation/Conclusion. Based on the cultural sensitivity of the project area, standard County policy requires submittal of a Phase One cultural resources survey prior to subdivision and development. The consulting archaeologist would consult with the local Native American representative. Based on the results of the survey, additional studies may be necessary, including a Phase Two or Phase Three investigative survey and/or Historic Resources Evaluation Report. Mitigation measures would be required based on the results of the survey(s) and the specific project proposal. To ensure that potential impacts to cultural resources are assessed, a planning area standard shall be adopted requiring submittal of a Phase One Cultural Resources Survey and consultation with the Salinan Tribe upon completion of the Phase One Survey, upon application for a construction or use permit.

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

GEOLOGY - The topography of the project area ranges from gently sloping grasslands to steeply sloping riverbanks. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered high. Any project in a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use. No active faulting is known to exist on or near the project area. The project is not potentially within a known area containing serpentine rock. There is no evidence that measures above what will already be required by ordinance or code is necessary.

DRAINAGE - The Salinas River corridor is located within the eastern corner of the proposed project area. The Flood Hazard designation parallels the Salinas River in the eastern portion of proposed GPA area 10. As described in the Natural Resources Conservation Service Soil Survey, the soils mapped for the area are well to excessively drained.

General Plan Amendments 1 through 9, and 11

These GPA areas are located within a watershed draining into the Salinas River. No tributaries or drainages are located onsite, and stormwater tends to sheet flow, or percolate underground towards the river. There is no evidence that measures above what will already be required by ordinance or code is necessary.

General Plan Amendment 10

General Plan Amendment area 10 is located adjacent to the Salinas River and the 100-year flood plain covers approximately 300 feet of the eastern project area. For areas where drainage is identified as a potential issue, County Land Use Ordinance Section 22.52.080 includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows. In addition, buildings and structures are not permitted within a flood hazard zone unless the structure complies with County Land Use Ordinance Section 22.14.060 (Flood Hazard) to ensure the structure would be not subject to floodwaters or cause additional flooding, and provisions are made to eliminate identified hazards to the satisfaction of the County Engineer.

Sedimentation and Erosion. As described in the NRCS Soil Survey, the soil types mapped for the project area are slightly to moderately erodible, and have a low shrink-swell characteristic. Erosion of

graded areas and discharge of sediment down gradient would likely result if adequate temporary and permanent measures are not taken before, during and after vegetation removal and grading during the construction phase of the project. If not properly mitigated, these impacts both on the project site and within surrounding areas may be significant. When highly erosive conditions exist, a sedimentation and erosion control plan is required (County Land Use Ordinance Section 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. In addition, projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

Mitigation/Conclusion. To mitigate for potential high liquefaction hazards, prior to development, the applicant is required to submit a geologic report addressing potential hazards and including recommendations to reduce this hazard to less than significant. To mitigate for impacts resulting from drainage, erosion and down-gradient sedimentation, prior to grading and site development, the applicant would be required by the County Land Use Ordinance to submit a drainage plan and erosion and sedimentation plan including both temporary and permanent erosion control measures. Measures would include best management practices to prevent alteration of drainage courses and discharge of sediment and any other pollutants into the Salinas River. In addition, if over one acre of disturbance is proposed, a SWPPP would be required. In addition, a planning area standard shall be adopted prohibiting residential development within the Flood Hazard zone. No additional planning area standards are necessary.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project area is located within an area dominated by urban development, oak trees, annual grassland and riparian vegetation. There are no known hazardous waste sites or pipelines underlying or in the vicinity of the project area with the exception of GPA sites 8 and 9. The San Miguel Sewage Treatment Plan is located approximately 1,300 feet north of the proposed project area. Anticipated residential and commercial uses would not include the use of hazardous materials.

The proposed project area is within a moderate fire hazard severity area. The Union Pacific Railroad (UPRR) traverses the community of San Miguel, and is located immediately east of the downtown core. Proposed GPA sites 1, 2, 6, 7, 8, and 9 are located adjacent to or within the railroad right-of-way.

Impact. No significant fire safety risk was identified. Future applicants would be required to obtain a Residential or Commercial (as applicable) Fire Safety Plan from the San Miguel Fire District prior to development, pursuant to Section 22.50.030 of the County Land Use Ordinance. The plan is required to include the location of the fire hydrant nearest to the site, the location of any emergency firefighting equipment or water supplies on the proposed site, the location of any explosive or flammable materials, and means of access to all structures available for firefighting equipment.

General Plan Amendments 1, 2, 6, 7, 8, 9

Hazardous Materials. Proposed GPA sites 1, 2, 6, 7, 8, and 9 are located adjacent to the Union Pacific Railroad. The use of diesel fuels and transport of hazardous materials likely resulted in soil contamination within the railroad right of way, including aerially deposited lead, volatile organic carbons, and petroleum hydrocarbons. If present, release of these hazardous materials during grading activities could result in a potentially significant impact. The proposed project was referred to the County Environmental Health Division for review. This division concurs with the assessment of potential soil contamination hazards (Laurie Salo; January 24, 2006).

Safety Hazards. Proposed GPA sites 1, 2, 6, 7, 8, and 9 are located adjacent to the Union Pacific Railroad. Based on the location of these sites, there is a potential for pedestrians and bicyclists to cross the railroad tracks outside of existing road crossings at River Road and 11th Street, resulting in a significant safety hazard. The proposed project was referred to the Union Pacific Railroad (UPRR) and California Public Utilities Commission (CPUC). Both agencies are concerned about public safety, and the potential for increased accidents and fatalities due to trespass across the railroad tracks. UPRR opposes the construction of residential dwellings adjacent to the railroad right-of-way (Wayne K. Horiuchi, UPRR; January 17, 2006). The Rail Crossings Engineering Section (RCES) of the CPUC reviewed the proposed General Plan Amendments and recommended a complete diagnostic review of the entire rail corridor through the community of San Miguel, including development of an impact funding mechanism to implement identified safety measures. Additional recommendations included in the referral response letter include construction of vandal resistant fencing on all parcels adjacent to the railroad right-of-way (Kevin Boles; December 13, 2005).

The Diagnostic Review requested by the RCES was completed in May 2006. The recommendations of the review include fencing along the right of way; construction of sidewalks at the existing rail crossings and a review of all at-grade crossings in the County.

Mitigation/Conclusion.

General Plan Amendments 1, 2, 6, 7, 8, 9

Hazardous Materials. To ensure that contaminated soils are not disturbed to release hazardous materials into the air, a planning area standard shall be adopted requiring a Phase II Environmental Site Assessment and soil testing for grading and construction activities within 135 feet of the railroad. Based on the results of the report, additional remediation pursuant to local, state, and federal guidelines and regulations would be required. Based on implementation of this planning area standard, potential impacts would be mitigated to less than significant.

Safety Hazards. As discussed in Section 8 (Noise), construction of residences would not be permitted within 113 feet of the railroad due to significant levels of noise exposure associated with the railroad. To avoid the potential for trespass and subsequent accidents and fatalities within the railroad right-of-way (outside of designated at-grade crossings), a planning area standard shall be adopted requiring the construction of fencing at the edge of the railroad right-of-way. Fencing shall be a minimum of six

feet in height, and be constructed with chainlink to minimize the potential for vandalism. The CPUC's Pedestrian Rail Crossing Treatments handbook (currently in draft form) will be used for guidance) Based on the urbanized character of the community of San Miguel, construction of the fencing would not result in secondary visual impacts. Fencing shall be constructed with 8-inch by 12-inch openings near the ground every 100 yards to accommodate San Joaquin kit fox migration.

Based on implementation of these planning area standards and standard ordinance requirements discussed above, potential hazards would be mitigated to less than significant.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project sites are located throughout the urban core of San Miguel and are a minimum of approximately 500 feet east of Highway 101, with some sites immediately adjacent to the railroad. The highway and the railroad are the primary sources of noise in the area. The highway is located approximately 50 feet in elevation above the community of San Miguel (including the project area). The topography steeply slopes up to meet the highway road grade. The railroad is located at approximately the same elevation as the project area.

The highway and railroad noise contours overlap west of the railroad. According to the *County Noise Element*, a majority of the project area is located within the 60 to 65 decibel (dB) noise contour. Proposed General Plan Amendments areas within 244 feet of the railroad are located within 65 to 70 dB noise contour, and sites adjacent to the railroad (within 113 feet) are exposed to noise exceeding 70 dB. In addition to noise and vibrations generated by passing trains, train whistles are required at every railroad crossing, generating approximately 96 to 100 decibels at the source (Wayne K. Horiuchi, UPRR; January 17, 2006). The *County Noise Element* states that noise sensitive uses include residential development, schools, health care services, nursing and personal care, churches, public assembly and entertainment, libraries and museums, hotels and motels, bed and breakfast facilities, outdoor sports and recreation, and offices.

Impact.

Noise Exposure

General Plan Amendment 1

General Plan Amendments 1 and 2 propose to change the land use category from Commercial Service to Commercial Retail. GPA area 1 is located adjacent to the railroad, and currently supports one abandoned structure. The remaining parcels are undeveloped. Potential noise sensitive land uses that would be permitted under the Commercial Retail land use category include public assembly and entertainment facilities, religious facilities, specialized education and training schools, multi-family dwellings, nursing and personal care, single-family residences, health care services, bed and

breakfast facilities, hotels and motels, and offices. Land uses currently not permitted under the Commercial Service land use category include multi-family dwellings, nursing and personal care, single-family residences, and health care services. Noise exposure within this area ranges from 60 to over 70 Ldn (average noise level). Noise exposure exceeding 70 dB is unacceptable for residential land uses.

General Plan Amendment 2

GPA area 2 consists of a 30-foot wide driveway and parking zone, and would not support structural development. Noise exposure in this area exceeds 70 dB; however, structural development would not occur within this area.

General Plan Amendment 3

This parcel currently supports a residence and accessory structures. Implementation of the proposed land use category amendment, Commercial Retail to Office/Professional, would permit the following noise sensitive uses: libraries and museums, public assembly and entertainment facilities, religious facilities, college and university schools, elementary and secondary schools, specialized education and training schools, multi-family dwellings, nursing and personal care, residential care, single-family dwellings, health care services, bed and breakfast facilities, hotels and motels, and offices. Land uses currently not permitted within the Commercial Retail land use category include college and university schools, elementary and secondary schools, and residential care. Noise exposure in this area is between 60 and 65 dB, which is conditionally acceptable for these land uses.

General Plan Amendments 4 and 5

This proposed amendment would allow residences as a principal use, and would permit the replacement of destroyed buildings within the Office/Professional and Commercial Retail land use categories in this area, without requiring a land use permit. The project area currently supports one church, and several existing occupied and abandoned residences. Noise exposure in this area is between 60 and 65 dB, which is conditionally acceptable for residential uses.

GPA 5 proposes a land use change from Office/Professional to Residential Multi-family. Implementation of this amendment would permit the following noise sensitive uses: outdoor athletic facilities, residential facilities, mobile homes, multi-family dwellings, nursing and personal care, residential care, single family residences, bed and breakfast facilities. Land uses not currently permitted within the Office/Professional land use category include outdoor athletic facilities and mobile homes. Noise exposure in this area is between 60 and 65 dB, which is conditionally acceptable for these uses.

General Plan Amendment 6

GPA 6 proposes to change the land use designation from Office/Professional and Commercial Service to Commercial Retail. The eastern boundary of this site is located adjacent to the railroad. Existing land uses within this area include residences, apartments, industrial buildings and storage. Potential noise sensitive land uses that would be permitted under the CR land use category include public assembly and entertainment facilities, residential facilities, specialized education and training schools, multi-family dwellings, nursing and personal care, single-family residences, health care services, bed and breakfast facilities, hotels and motels, and offices. No new noise sensitive uses would occur within the area proposed for the Commercial Retail designation. Land uses not currently permitted within the proposed Commercial Service area include multi-family dwellings, nursing and personal care, single-family residences, and health care services. Noise exposure in this area ranges from 60 dB to over 70 dB, which is acceptable for nursing and personal care and health care services (up to 75 dB). Noise exposure exceeding 70 dB is not acceptable for residential land uses.

General Plan Amendment 7

Proposed GPA area 7 is located adjacent to the railroad, and is currently within the Industrial land use category. GPA 7 proposes to change this designation to Residential Single-family. Railroad accessory structures are located onsite. Noise sensitive land uses within the proposed Residential Single-family land use category include outdoor athletic facilities, religious facilities, mobile homes, residential care, secondary dwellings, and single-family residences. These uses are not currently permitted within the Industrial land use category. Noise exposure in this area ranges from 65 to over 70 dB within the western 113 feet of the parcel. Noise exposure exceeding 70 dB is not acceptable for residential land uses.

General Plan Amendment 8

GPA area 8 consists of a 30-foot wide driveway and parking zone, and would not support structural development. Noise exposure in this area exceeds 70 dB; however, structural development would not occur within this area.

General Plan Amendment 9

GPA 9 proposes to change the land use category from Industrial to Commercial Service, within a narrow stretch adjacent to the railroad. Two structures are present onsite. Noise sensitive land uses may include outdoor athletic facilities, public assembly and entertainment facilities, religious facilities, specialized education and training schools, bed and breakfast facilities, hotels and motels, and offices. Out of these uses, only offices are currently permitted under the Industrial land use category. Noise exposure in this area exceeds 70 dB, which is conditionally acceptable for all land uses (up to 75 dB) except public assembly and entertainment (threshold is 70 dB).

General Plan Amendment 10

Proposed GPA area 10 is located on the east side of the railroad, immediately west of the Salinas River. The amendment proposes to change the land use category from Residential Suburban to Residential Multi-family (35-unit maximum). Existing development onsite includes scattered residences. Noise sensitive land uses permitted within the Residential Multi-family land use category include outdoor athletic facilities, churches, elementary and secondary schools, mobile homes, multi-family dwellings, nursing and personal care, residential care, single family residences, and bed and breakfast facilities. Out of this list, the only use not currently permitted under the Residential Suburban land use category is multi-family dwellings. Noise exposure in this area is less than 60 dB, which is acceptable.

General Plan Amendment 11

Proposed GPA area 11 is also located on the east side of the railroad, west of the Salinas River. A portion of this area is currently developed with a 20-unit mobile home park, four apartments, five residences, and accessory structures. Noise sensitive land uses permitted within the Residential Multi-family land use category include outdoor athletic facilities, churches, elementary and secondary schools, mobile homes, multi-family dwellings, nursing and personal care, residential care, single family residences, and bed and breakfast facilities. The only use not currently permitted under the Residential Single-family land use category is bed and breakfast facilities. Noise exposure in this area ranges from less than 60 dB to 64 dB, which is conditionally acceptable for these land uses.

Noise Generation. Implementation of the proposed General Plan Amendments would increase the density of development on parcels within residential land use categories, which would increase the number of traffic trips within the community. In addition, the development of commercial uses may encourage additional trips within the community, and increase the level of transportation-related noise on Main Street. Based on the presence of the highway to the west, and the railroad through the community, the noise increase is not anticipated to significantly contribute to the ambient noise level.

Mitigation/Conclusion.

General Plan Amendments 1, 3, 4, 5, 6, 7, 9, and 11

Each of the listed land uses (except for a bed and breakfast facility with 3 or less units, mobile homes, and the replacement of destroyed buildings) would require a land use, minor use, or conditional use permit, and subsequent environmental review. At the time of permit application, the specific use would be assessed, and noise mitigation measures would be identified to reduce potential noise exposure to less than significant. To ensure that potential noise impacts are analyzed, a planning area standard shall be adopted requiring submittal of a noise analysis report, and demonstration of compliance with Noise Element requirements upon application for a land use, grading, or construction permit for noise sensitive land uses.

General Plan Amendments 1, 6, 7, and 9

These proposed GPAs would permit multi-family dwellings, single-family residences and public entertainment and assembly facilities within an area exposed to noise exceeding 70 dB, which is not acceptable. A planning area standard shall be adopted restricting residential development and public entertainment and assembly facilities to areas outside of a 113-foot noise buffer or other distance determined by a noise study and in compliance with the County's Noise Element. The buffer shall extend east and west of the railroad.

Based on implementation standard measures and recommended planning area standards, potential noise impacts would be less than significant.

9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is located within the urban core and adjacent residential areas within the community of San Miguel. Existing development includes residences, religious facilities, commercial uses, and industrial development. Implementation of the proposed GPAs would facilitate mixed-use development, redevelopment of degraded areas, higher density residential development, and consistent land use designations within the community. Implementation of the proposed GPAs would not induce growth, displace housing, create the need for new housing, or use a substantial amount of fuel or energy to construct and operate.

Mitigation/Conclusion. Based on the above discussion, no significant population and housing impacts are expected to occur as a result of the proposed General Plan Amendments.

10. PUBLIC SERVICES/UTILITIES

- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is served by the County Sheriff's Department and San Miguel Community Services District Fire Department as the primary responders. The closest Sheriff sub-station is located in the City of Paso Robles, approximately 10 miles south of the project site. The closest CDF station is located in the community of San Miguel, approximately 0.75 mile southwest of the project site. The project site is located within the San Miguel Joint Union School District.

Impact. The proposed project was referred to the County Sheriff, the San Miguel Community Services District, and the San Miguel Joint Union School District. The County Sheriff and San Miguel Community Services District did not respond with comments. The San Miguel Joint Union School District did not identify any significant impacts to the school district or impacts to school populations; however, the District recommended that the County consider higher-income housing (such as single-family residences) and single-use commercial areas (as opposed to mixed use) within the community (Dean Smith; September 13, 2005 and personal communications November 9, 2005). Implementation of the proposed General Plan Amendments, along with numerous other projects in the area would have a cumulative effect on public services, including police and fire protection, and schools.

Mitigation/Conclusion. Regarding potential cumulative impacts, public facility (county) and school (State Government Code 65995 et. sec) fee programs have been adopted to address this impact and would reduce the cumulative impact to a level of insignificance. No other significant project-specific impacts to utilities or public services were identified, therefore no additional measures are considered necessary.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that the project site is located within the Salinas River Trail Corridor. No other recreational resources are present on or in the vicinity of the project site.

Impact. The GPAs are not proposed in a location that will affect any trail, park or other recreational resource, and would not create a project-specific significant need for additional park or recreational resources. Future development of the project site would not preclude construction of a segment of the Salinas River Trail. The proposed amendments were referred to the County Parks Division for review and no significant issues were identified (Shaun Cooper; September 23, 2005). Subdivision of land and additional residential development would contribute to the cumulative demand for recreational resources in the County.

Mitigation/Conclusion. Prior to final map recordation for a subdivision, County ordinance requires the payment of a fee for the improvement or development of neighborhood or community parks. These "Quimby" fees mitigate each project's impact on recreational facilities within the County. Based on implementation of Quimby fees, cumulative impacts to recreational resources would be mitigated to less than significant, and no planning area standards are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**12. TRANSPORTATION/
CIRCULATION - Will the project:**

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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i) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Setting. The primary circulation system within the project area consists of Mission Street, a two-lane arterial, and River Road, a two-lane local road. Other local roads within the project area include K Street, L Street, N Street, 9th Street, 10th Street, 11th Street, 12th Street, 13th Street, 14th Street, 15th Street, and 16th Street. These local roads are currently operating at an acceptable level of service. River Road and 11th Street provide at-grade access across the railroad.

Impact.

General Plan Amendments 1 through 3, 6, 8, and 9

These proposed GPAs would not result in a land use change significantly affecting the type of land use permitted within each GPA area. Future uses would generate similar levels of traffic, and would not result in a significant traffic impact.

General Plan Amendments 4 and 5

Implementation of proposed GPA 4 would allow residences as a principally permitted use with the O/P and CR land use categories, and would permit in-kind replacement of existing residences by building permit only (no land use permit required). Implementation of proposed GPA 5 would amend the existing land use category from Office/Professional to Residential Single-family. This area currently supports residences and one church. Implementation of these amendments would not change the existing land uses present onsite, increase potential density, or result in the generation of additional traffic trips.

General Plan Amendment 7

Implementation of proposed GPA 7 would amend the existing land use category of this area from Industrial to Residential Single-family. The adjacent parcel to the east is currently within the Residential Single-family land use category, and was purchased from the railroad. Implementation of this amendment would create a consistent land use category for the two parcels. As discussed in Section 8 (Noise), habitable structures would not be permitted within 113 feet of the railroad to avoid significant noise exposure, which would prohibit residential development on the parcel under consideration. This area could be developed with an extension of N Street, or other non-habitable land uses. Based on these factors, implementation of the proposed amendment would not result in additional traffic trips.

General Plan Amendment 10

The current land use designation, Residential Suburban, requires a minimum density of 1.0-acre lots. Existing development within this area includes residences and accessory structures. This area consists of ten lots, ranging in size from 4,000 to 400,000 square feet each. The total area is approximately 9.3 acres. Each lot currently supports, or could potentially support, one primary residence and one secondary residence for a total average daily trip (ADT) count of approximately 162 ADT (9.6 ADT per primary residence, and 6.6 ADT per secondary residence). Assuming complete redevelopment of the project area (excluding approximately three acres within the Flood Hazard zone), and implementation of the proposed 35-unit density limit, each unit would generate approximately 6.6 ADT, for a total of 231 ADT. This would potentially result in an increase of approximately 69 ADT. Based on the existing capacity of the road system, this increase would not be significant.

General Plan Amendment 11

The current land use designation, Residential Single-family, requires a minimum density of 6,000-square foot lots. The project area consists of nine lots ranging in size from approximately 5,200 to 349,000 square feet each. The total area is approximately 11.4 acres in size. Parcel 021-241-001 consists of two lots totaling eight acres; four acres are currently developed with twenty mobile homes and four apartment-type housing units. The remainder of the parcel supports one residence. Parcel 021-241-017 is 2.5 acres in size, and supports one residence. The remaining parcels are 5,200 to 7,200 square feet in size, and currently support three residences. These existing uses currently generate approximately 206 ADT, based on 9.6 ADT per residence, and 6.6 ADT per mobile home or apartment. If the entire 11.4 acres is redeveloped under the existing land use category (RSF), the project area has a density potential of 80 lots (6,000 square feet in size) and access roads. 80 lots would potentially support up to 80 primary and 80 secondary residential units (approximately 1,300 ADT) and access roads. If the project area is developed with multi-family development, assuming 2,000-square foot lot sizes, the density potential of the project area would increase to approximately 245 RMF units (1,600 ADT). Implementation of the proposed amendment would increase the ADT potential by 300 trips. Based on the existing capacity of the road system, this increase would not be significant.

Cumulative/Build-out

As noted by the Union Pacific Railroad, blocked at-grade railroad crossings and subsequent traffic congestion is a common public complaint (Wayne K. Horiuchi, UPRR; January 17, 2006). Based on the results of the traffic analysis reports conducted in the area and reviewed by the County Public Works Department, the Mission Street and 14th Street/River Road intersection is operating at an overall level of service (LOS) A, with a worst-approach LOS B, which is acceptable. The distance from Mission Street to the railroad (approximately 180 feet) provides adequate queuing distance at the 14th Street/River Road and Mission Street intersection. Under cumulative conditions (build-out), the overall level of service at the Mission Street and 14th Street/River Road intersection would operate at LOS A during the A.M. peak hour and LOS B during the P.M. peak hour, which is acceptable. The worst-approach level of service would be LOS C during both the A.M. and P.M. peak hours, which is acceptable. Under cumulative conditions, the operation of the intersection and River Road railroad crossing would not be significantly impacted; however, an all-way traffic signal is warranted to improve the ability of 14th Street/River Road traffic to clear the railroad crossing when a train passes through.

Implementation of the proposed amendments would result in development generally consistent with build-out estimates assumed prior to proposed land use category changes. Development of the areas identified in this proposed GPA would contribute to the generation of traffic trips affecting the level of service at the Mission Street and 14th Street/River Road intersection. Based on consultation with County staff, the Public Works Department has developed a fee program to mitigate cumulative traffic impacts, which would include widening River Road and installing a traffic light at the Mission Street and 14th Street/River Road intersection (Frank Honeycutt; March 24, 2006). The fee program includes a methodology and schedule for obtaining funds for the construction of these identified improvement projects. The proposed fee program is scheduled for review by the County Board of Supervisors on April 25, 2006.

Mitigation/Conclusion. Based on the proposed project location, existing and projected acceptable level of service, the capacity of local roads, and the referral response from the Department of Public Works (Mikel Goodwin; October 20, 2005), project-specific traffic and circulation impacts resulting from the proposed GPAs would be insignificant. Traffic impacts resulting from the build-out of San Miguel would result in a significant cumulative impact at the intersection of 14th Street/River Road and Mission Street, west of the railroad crossing. Cumulative impacts would be mitigated by applicant-contribution to a County fee program designated to install a traffic signal at this intersection. No planning area standards are required.

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project area is currently located within the community of San Miguel, and would be served by the San Miguel Community Services District. According to the *Annual Resource Summary Report* (County of San Luis Obispo; 2004), the San Miguel CSD sewage treatment plant is operating at 56.5 percent capacity, and would not reach 100% capacity until the population of San Miguel reaches 2,844. The 2002 population of San Miguel was 1,607. The average dry-weather capacity of the facility is 113,000 gallons per day, and the maximum capacity is 200,000 gallons per day.

Impact. The proposed GPAs with the most effect on population growth are GPA sites 10 and 11. Based on existing development potential and lot configuration, GPA site 10 could support up to ten primary and ten secondary residences. GPA site 11 could support up to 80 primary and 80 secondary residences. Upon implementation of the proposed GPAs, site 10 would support up to 35 residential multi-family units, and site 11 would potentially support up to 245 residential multi-family units. Based on the available capacity of the existing sewer treatment plant, impacts to the existing community wastewater system resulting from the proposed general plan amendment would be less than significant.

Mitigation/Conclusion. To ensure available wastewater capacity, the applicant is required by the County Land Use Ordinance to obtain a valid will-serve letter from the San Miguel CSD prior to site development.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Surface Water. The Salinas River is located within the eastern portion of the proposed project area. The project site naturally drains into the river.

Water Supply. The project area is located within the community of San Miguel, and is served by the San Miguel Community Services District. The San Miguel CSD draws its water supply from two wells located in San Miguel within the Paso Robles Groundwater Basin. According to the *Annual Resource Summary Report* (2004), as of 2004, the San Miguel CSD can support up to 125 new residential connections. Based on the report, the demand for water could equal or exceed the current system capacity within five years, warranting a Level of Severity II. The San Miguel CSD is in the planning process to construct a new well and storage tank in 2005-2006, which would increase capacity. The County would reconsider the Level of Severity recommendation once the new well is on-line.

Impact.

Surface Water.

General Plan Amendments 1 through 9 and 11

These GPA sites are located on gently sloping topography. No sources of surface water are present within these areas; however, stormwater flows east into the River via sheet flow and underground percolation. Development and ground disturbance within the San Miguel area contributes to the cumulative build-up of sediment and other pollutants discharged into the Salinas River. As discussed in Section 6 (Geology and Soils), where highly erosive conditions exist, an erosion and sedimentation plan is required by County Ordinance. In addition, if over one acre of site disturbance is proposed, a Stormwater Pollution Prevention Plan (SWPPP) would be required. Based on implementation of these standard requirements, potential impacts would be less than significant.

General Plan Amendment 10

The Salinas River and associated Flood Hazard zone is located within the eastern portion of proposed GPA site 11. Potential impacts to surface water, including down-gradient sedimentation and pollution from construction equipment run-off entering the Salinas River, would likely occur during future development of the project site. As discussed above, an erosion and sedimentation control plan, and likely a SWPPP would be required. Based on implementation of these standard requirements, potential impacts would be less than significant.

Water Supply.General Plan Amendments 1 through 3, 6, 8 and 9

Implementation of these proposed GPAs would result in amendments to land use categories within the Commercial, Office/Professional, and Industrial land use categories. The uses permitted within these land use designations result in similar levels of water demand, ranging from 0.08 acre-feet (per 1,000 feet of space) for medical offices, 0.02 acre-feet for commercial stores, 0.73 for restaurants, 0.17 for

neighborhood commercial uses, and 0.071 acre-feet for non-liquid manufacturing (Water Use Factors for the City of San Luis Obispo; no date). Implementation of these proposed GPAs would not significantly increase future water demand.

General Plan Amendments 4 and 5

Implementation of proposed GPAs 4 and 5 would allow residences as a principally permitted use. Based on the existing presence of residences on each lot (with the exception of a Verizon services building and a church), implementation of the proposed GPAs would not significantly affect the existing demand for water supply.

General Plan Amendment 7

Implementation of this amendment would create a consistent land use category (Residential Single-family) for proposed GPA site 7 and the parcel to the east. As discussed in Section 8 (Noise), habitable structures would not be permitted within 113 feet of the railroad to avoid significant noise exposure, which would prohibit residential development on the parcel under consideration. This area could be developed with an extension of N Street, or other non-habitable land uses. Based on these factors, implementation of the proposed amendment would not result in additional water demand.

General Plan Amendment 10

Existing development within proposed GPA site 10 consists of four residences and accessory structures. Based on the existing land use category (Residential Suburban), the project site could support up to ten primary and ten secondary residences potentially requiring the use of 11.8 acre feet per year of water:

$$10 \text{ residential lots (w/primary (0.85 afy) \& secondary (0.33 afy) X 10 lots) = 11.8 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Assuming complete redevelopment of the project area and implementation of the proposed 35-unit density limit, implementation of the proposed GPA would potentially require the use of 11.6 afy:

$$35 \text{ residential units (w/secondary (0.33 afy) X 35 lots) = 11.6 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Implementation of proposed GPA would not increase the demand for water resources.

General Plan Amendment 11

Existing development within proposed GPA site 11 includes five residences, a 20-unit mobile home park, four apartments, and accessory uses. Under the RSF land use designation, the project site has a development potential for up to 80 primary and 80 secondary residences, potentially requiring the use of 94.4 afy of water:

$$80 \text{ residential lots (w/primary (0.85 afy) \& secondary (0.33 afy) X 80 lots) = 94.4 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Assuming complete redevelopment of the project area into 245 residential multi-family units, implementation of the proposed GPA would potentially require the use of 80.85 afy:

$$245 \text{ residential units (0.33 afy x 245 units) = 80.85 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Implementation of the proposed GPA would not increase the demand for water resources.

Mitigation/Conclusion.

Surface Water. Implementation of an approved drainage plan and erosion and sedimentation control plan would reduce potential project specific and cumulative impacts to surface water to a level of insignificance (refer to Section 6). If future development would disturb over one acre, a Storm Water Pollution Prevention Plan (SWPPP) would be required in addition to the erosion and sedimentation control plan. No planning area standards are required.

Water Supply. Implementation of the proposed GPAs would not result in increased water demand. To ensure water availability, future applicants are required by the County Land Use Ordinance to obtain a valid will-serve letter from the San Miguel CSD prior to site development. No planning area standards are required.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed general plan amendments were reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g. County Land Use Ordinance, County General Plan, Salinas River Area Plan, Clean Air Plan, etc.). The project was found to be consistent with these documents. A sub-committee to the San Miguel Advisory Council formulated the proposed amendments in response to a number of community inquiries regarding the availability of reasonably priced land that would allow the development of local businesses. The sub-committee met monthly over a period of two years, circulated proposed amendments within the community, contacted and consulted with affected landowners, and submitted the proposed amendments to the County of San Luis Obispo. The County agreed to initiate the General Plan Amendments on behalf of the community and the advisory council.

The proposed project is not within or adjacent to a Habitat Conservation Plan area. Potential land use conflicts, including incompatible mixed-use (residential/commercial) development, railroad hazards, noise exposure, and flood hazards are addressed within each appropriate section of this document. Land use patterns within the community of San Miguel include residential development west of L Street, mixed residential and commercial development west of Mission Street, industrial and residential

development adjacent to the railroad, and residential development east of the railroad. The proposed GPAs are consistent with these patterns by encouraging mixed-use development adjacent to Mission Street, and increasing residential density within existing residential areas.

Mitigation/Conclusion. With the addition of planning area standards proposed in this document, no significant land use impacts would occur as a result of the proposed project.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

- | | | | | | |
|----|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with a ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
☒	County Public Works Department	Attached, pers. comm. March 24, 2006
☒	County Environmental Health Division	Attached
☒	County Agricultural Commissioner's Office	Attached
☒	County Parks and Recreation Division	Attached
☒	Air Pollution Control District	Attached
☒	CA Department of Fish and Game	No Response
☒	CA Department of Forestry	In File**
☒	CA Department of Transportation	No Response
☒	San Miguel CSD	No Response
☒	San Miguel Advisory Council	No Response
☒	San Miguel Joint Unified School District	Attached
☒	Native American Heritage Commission	Attached
☒	County Chumash Council	No Response
☒	John Burch, Salinan Tribe	Attached
☒	Union Pacific Railroad	Attached
☒	California Public Utilities Commission	Attached

**** "No comment" or "No concerns"-type responses are usually not attached**

In addition, the following project specific information and/or reference materials have been considered as a part of the initial study:

County of San Luis Obispo, Dept of Planning and Building. May 2006. Report of the Diagnostic Review of the San Miguel Rail Corridor.

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

County documents

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☒ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
 - ☒ Agriculture & Open Space Element
 - ☒ Energy Element
 - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
 - ☒ Housing Element
 - ☒ Noise Element
 - ☒ Parks & Recreation Element
 - ☒ Safety Element
- ☒ Land Use Ordinance
- ☒ Real Property Division Ordinance
- ☒ Trails Plan
- ☐ Solid Waste Management Plan

☒ Salinas River Area Plan and Update EIR

☐ South County Circulation Study

Other documents

- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Areas of Special Biological Importance Map
- ☒ California Natural Species Diversity Database
- ☒ Clean Air Plan
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☒ Water Use Factors, City of San Luis Obispo

Exhibit B - Mitigation Summary Table

Air Quality

General Plan Amendments 4 and 5

1. Residential quarters and the following commercial uses shall not be established within the same building: nail salons, dry-cleaners, coffee roasters, gasoline stations, furniture refurbishing/refinishing, and any type of spray paint operation.

General Plan Amendment 11

2. Residential development within the Residential Multi-family land use category shall include the following design elements:
 - a. Link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel.
 - b. Install traffic calming modifications to roads, such as narrower streets, speed platforms, bulb-outs, and intersection modifications designed to reduce vehicle speeds.
 - c. Include easements or land dedications for bikeways and pedestrian walkways.
 - d. Provide continuous sidewalks separated from the roadway by landscaping and on-street parking.
 - e. Include adequate lighting for sidewalks and crosswalks at intersections.
 - f. Increase building energy efficiency rating by 10 percent above what is required by Title 24 requirements.
 - g. Provide street trees.
 - h. Include outdoor electrical outlets.
 - i. Provide secure on-site bicycle parking.

Biological Resources

General Plan Amendments 10 and 11

3. Upon application for a grading, construction, or land use permit east of the Union Pacific Railroad, the applicant shall submit the following biological reports:
 - a. Vernal Pool Habitat Evaluation
 - b. In-season Floristic Botanical Survey

General Plan Amendments 10 and 11

4. Any land division shall be clustered west of the Flood Hazard (FH) combining designation, in compliance with the cluster division criteria in Section 22.22.140, or utilize other techniques that achieve the same result as clustering. Open space areas should be considered for the FH area (no residential site is allowable in the FH area), as well as for noise, visual, and cultural resource protection.

Cultural Resources

General Plan Amendments 1 through 11

5. Upon application for a grading, construction, or land use permit, a Phase One Cultural Resources Report shall be submitted.

Hazards and Hazardous Materials

General Plan Amendments 1, 2, 6, 7, 8 and 9

6. Upon application for a grading, construction, or land use permit within 135 feet of the railroad, the applicant shall submit a Phase II Environmental Site Assessment and soil test results. If applicable, a risk assessment shall be prepared and procedures established to address the identification, excavation, handling, and disposal of hazardous substances. The applicant shall ensure that any identified environmental site conditions that may represent a risk to public health and safety shall be remediated in accordance with federal, state, and local environmental laws and regulations.

General Plan Amendments 1, 2, 6, 7, 8, and 9

7. Development on lots abutting railroad property in San Miguel shall provide a barrier along the common property line to reduce the potential for trespassing on railroad property. The barrier may be in the form of a solid masonry wall or metal fence or a building located with zero setback from the property line.

The barrier must:

- be vandal-resistant;
- allow for the passage of the San Joaquin kit fox from one side to the other;
- be designed to discourage climbing over the top;
- not incorporate barbed wire, razor wire or any other component that could injure someone attempting to climb over it, except that the barrier may incorporate landscape elements such thorny vines that would act as a deterrent to climbing;
- be maintained by the property owner in a physically sound and visually attractive condition.

The County may adopt a standard barrier design with input from the San Miguel Advisory Committee, railroad, county Public Works Department and the county Environmental Division. If adopted, all railroad safety barriers in San Miguel shall conform to this design.

To assure a consistently high-quality appearance within the central business district, safety barriers between 10th Street and 15th Street shall be of a common design.

In all land use categories, a fence shall be located on the common property line of any parcel that abuts the railroad property. The structure and design of the required fencing shall comply with standards approved by the Department of Planning and Building with the concurrence of the Union Pacific Railroad and California Public Utilities Commission. Fencing shall be constructed with 8-inch by 12-inch openings near the ground every 100 yards to accommodate San Joaquin kit fox migration.

Noise

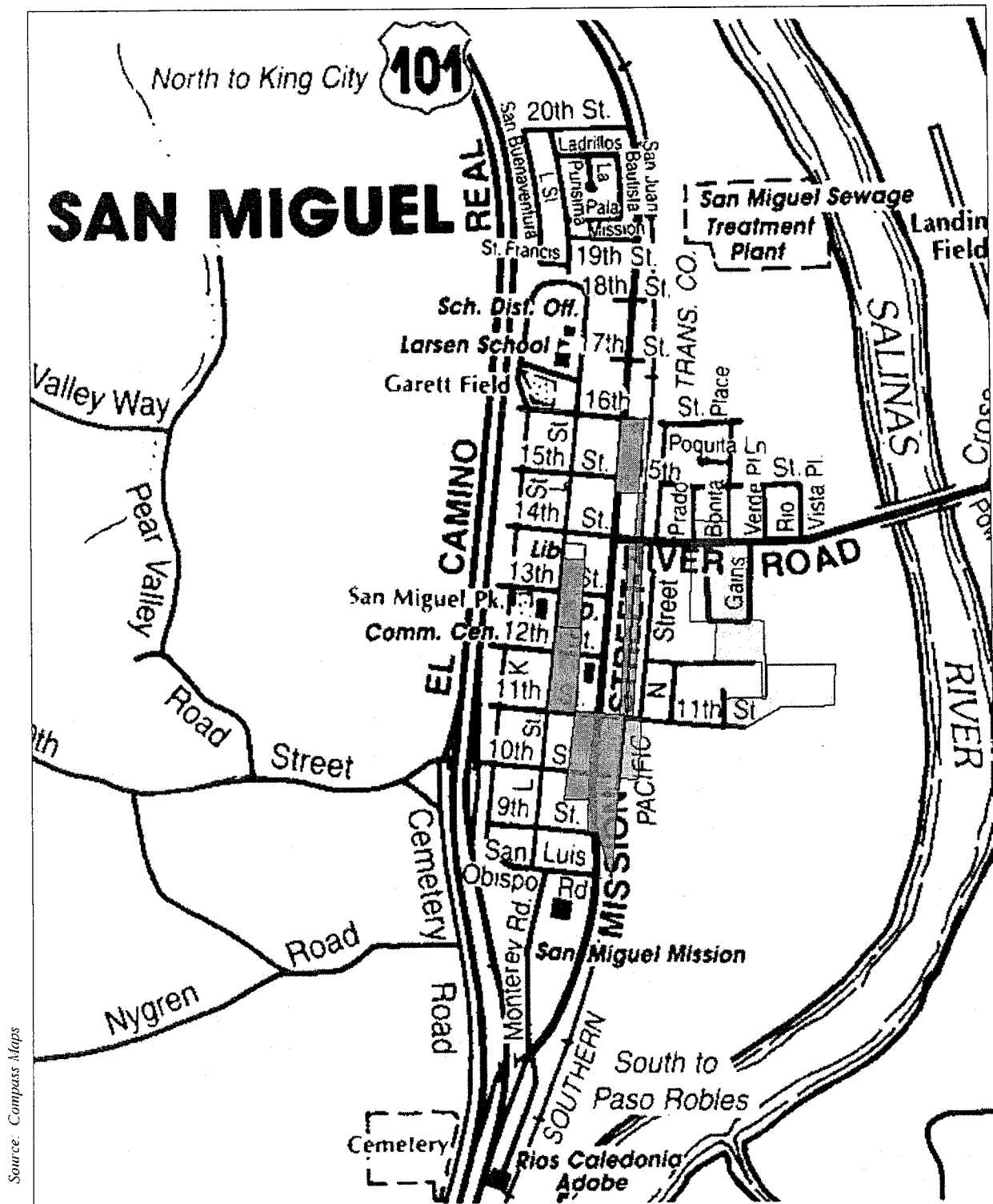
General Plan Amendments 1, 3, 4, 5, 6, 7, 9, and 11

8. Upon application for a grading, construction, or land use permit for a noise sensitive land use within the Commercial Retail, Commercial Service, Office/Professional, and Residential Multi-family land use categories within areas exposed to outdoor noise levels exceeding 60 decibels (as delineated by the County Noise Element), a Noise Analysis Study shall be submitted. Noise sensitive land uses include residential uses (except temporary dwellings and accessory

structures), public assembly and entertainment facilities, bed and breakfast facilities, hotels and motels, schools, outdoor sports and recreation facilities, and offices. The Noise Analysis Study shall identify existing and future noise levels, potential noise exposure, and recommendations for noise attenuation in compliance with the County Noise Element.

General Plan Amendments 1, 6, 7 and 9

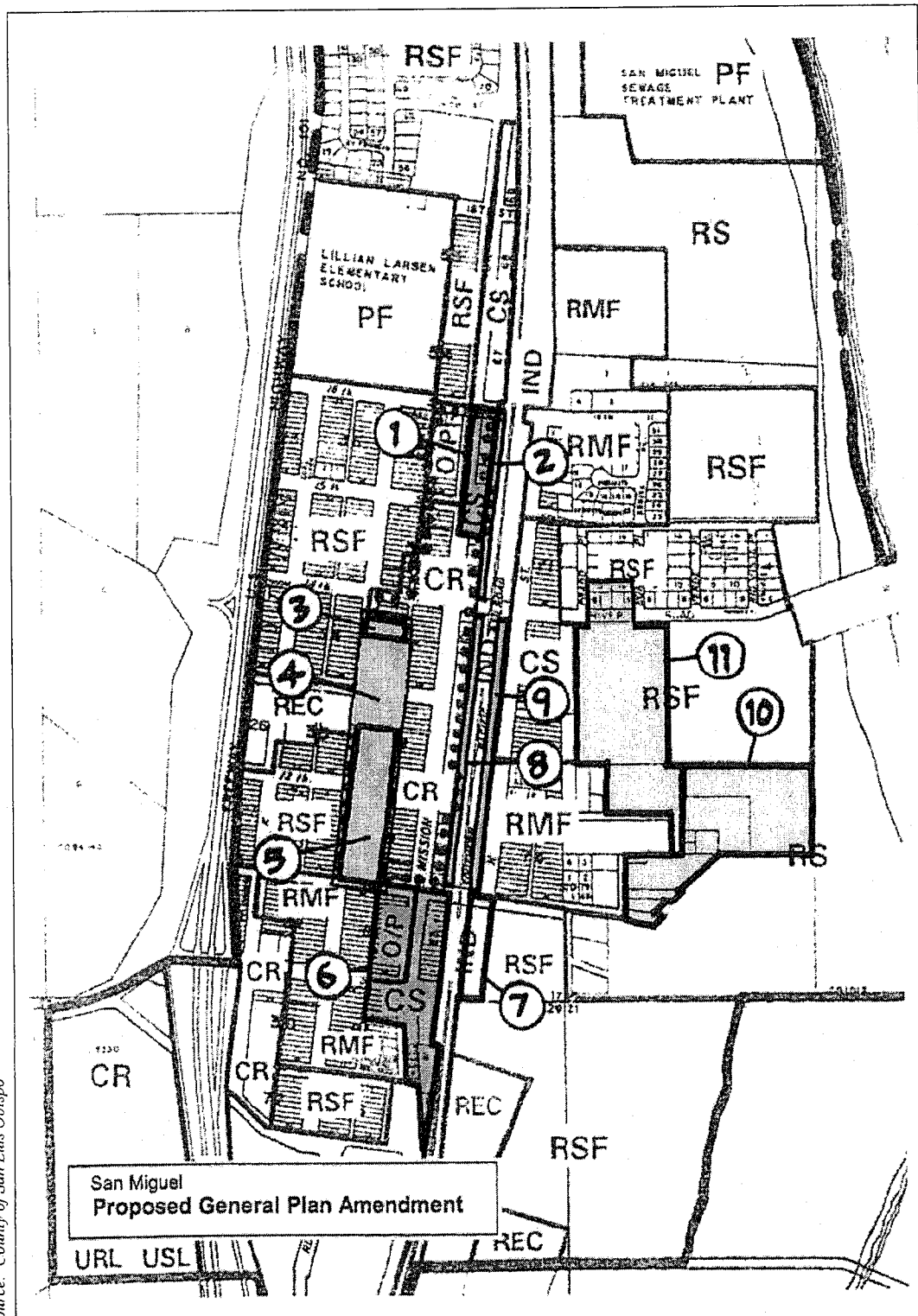
9. New residential development and associated outdoor use areas (excluding non-habitable structures) shall be prohibited within 113 feet of the railroad or other distance that complies with the requirements of the County Noise Element.



NORTH
Not to Scale

Morro Group, Inc.

PROJECT VICINITY MAP
FIGURE 1



Source: County of San Luis Obispo



NORTH
Not to Scale

PROPOSED GPA AREAS
FIGURE 2

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

December 13, 2005

File No. 183-40

John Hand
County Planner
County of San Luis Obispo
County Government Center, Room 200
San Luis Obispo, CA 93408-2040

RE: Comments on Proposed Rezoning in San Miguel

Dear Mr. Hand:

The Commission's Rail Crossings Engineering Section (RCES) recently reviewed documents pertaining to the rezoning plan for the community of San Miguel in northern San Luis Obispo County.

RCES believes that the rezoning plan does not adequately address potential problems regarding rail safety created by additional development. To ensure that safety is afforded the public and that hazardous conditions are not created, such as those related to a previous development in San Miguel, we recommend that the County:

- Conduct a diagnostic review of the entire rail corridor through San Miguel. Based upon the plan for the ultimate build out of the community, determine what rail safety improvements are needed and appropriate. An initial walk through was conducted with RCES, but it is unknown whether any of RCES's recommendations are being considered for implementation.
- Establish a new development requirement for vandal resistant fencing for all parcels adjacent to the railroad right-of-way.
- Establish an impact fund for new development specifically earmarked for rail safety improvements. This fund would be used to implement improvements noted during the diagnostic review.

RCES is open to other alternatives for addressing rail safety issues. Please call me at (415) 703-2795 to discuss this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kevin Boles', written over a horizontal line.

Kevin Boles
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Patrick Kerr, Union Pacific Railroad
Noel King, Director of Public Works, SLO County
Frank Honeycutt, County Engineer, SLO County

1-65



Wayne K. Horiuchi
Special Representative

January 17, 2006

Shawna Scott, Morro Group, Inc.
c/o County Planning and Building Department
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

Dear Ms. Scott:

RE: San Miguel Urban Area General Plan Amendments

On behalf of Union Pacific Railroad I am writing to oppose the proposed amendments to the San Miguel General Plan, specifically to the area designated "7" in appendix B which was acquired from us. We object to the proposed project for several reasons.

First and foremost is the issue of public safety. The proximity of the project to our rail lines will expose citizens, as well as Union Pacific, to additional incidents of trespass/fatalities. Unfortunately, California has experienced dramatic increases of fatalities by trespass and car/train accidents and is the only state in the nation to record an increase in fatalities.

Second, the project will be subject to noise and other environmental considerations. This office receives numerous telephone calls and letters from citizens objecting to the train whistles. The law, however, requires train whistles to be executed at every crossing at all times of the day and night. Federal regulations require the whistle to sound in a 2-long, 1-short, 1-long blast pattern for 15-20 seconds at 96-110 decibels 100 feet from the nose of the train prior to entering the crossing. The whistle may also be executed for stray pets or transients. The whistle, used to warn motorists, pedestrians, and trespassers of the oncoming train, could blast at all hours since Union Pacific is a 24/7 operation. There is also operational noise and vibration to consider.

Finally, thought should be given to traffic flow and subsequent congestion when our trains pass through crossings. Blocked crossings are a chronic complaint of the public whenever residential or commercial interests abut our right of way and ingress/egress is prevented.

It is irresponsible public policy to allow residential dwellings to abut our right-of-way. Please accept this letter as documentation of our opposition in the event future litigation should occur.

I am,

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be 'W. K. Horiuchi', written over the word 'Sincerely,'.

WAYNE K. HORIUCHI
Special Representative

cc: Jon Germer
Garry Malmberg

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4862
Fax (916) 657-5390



September 22, 2005

Shawna Scott
Morro Group, Inc.
1422 Monterey St., Suite C200
San Luis Obispo, CA 93401

VIA FAX: (805) 543-2367

Re: Tribal Consultation Request, San Miguel Urban Area General Plan Amendments, San Miguel, San Luis Obispo County

Dear Ms. Scott:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. Attached is a consultation list of tribes with traditional lands or cultural places located within the requested General Plan Amendment boundaries.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action. NAHC Sacred Lands File requests must be made in writing. All requests must include county, USGS quad map name, township, range and section. Local governments should be aware, however, that records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place.

If you receive notification of change of addresses and phone numbers from Tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at (916) 653-4040.

Sincerely,

A handwritten signature in black ink that reads "Rob Wood".

Rob Wood
Environmental Specialist III

Attachment

**California Tribal Consultation List
City of San Miguel
September 20, 2005**

1-68

Salinan Tribe of Monterey, San Luis Obispo and San Benito Counties

John W. Burch

14650 Morro Road

Salinan

Atascadero, CA 93422

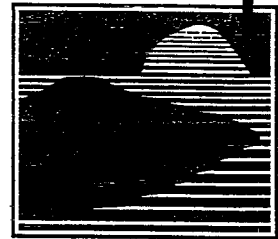
805 235-2730 Cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.95 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.

Mail to:



MORRO
GROUP, INC.
Environmental Services

PROJECT REFERRAL

DATE: September 13, 2005

TO: San Miguel Joint Union School District
PO Box 299
San Miguel, CA 93451

FROM: Shawna Scott, Morro Group, Inc.
C/o County Planning and Building Department

SUBJECT: San Miguel Urban Area General Plan Amendments

PROJECT DESCRIPTION: County request to amend the Salinas River Area Plan to allow changes to land use categories and planning area standards to enable urban development within the San Miguel urban reserve line to achieve consistency with the community vision (refer to attachments).

PART 1 IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ NO (Please go on to Part III)

☒ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL (805) 543-7095 extension 111.**

Clarify #4, RSF #5, #10 + #11 RSF

Not RMF

Response Date: 9/16/05 Name: [Signature]

Please return this letter with your comments as soon as possible. 4673216 x 204

EXHIBIT B

1-70

Project Description, Keyed to Land Use Category Map

- OK 1 **Commercial Service to Commercial Retail**
 Purpose: To allow mixed-use development of all properties facing Mission Street within the designated Central Business District.

Properties affected:
 021,141,007 thru 011 Thomas Brajkovich
 021,141,006 C. J. Brewen
 021,141,001 Lois E. Munk
 021,141,03X Southern Pacific Railroad

- OK 2 **Industrial to Commercial Retail**
 Purpose: To make the land use category of the proposed 30 foot wide driveway and parking zone consistent with the land use category of the contiguous properties fronting on Mission Street.

Properties affected:
 021,141,03X Southern Pacific Railroad

- OK 3 **Commercial Retail to Office/Professional**
 Purpose: To correct a situation where a parcel has two land use categories, creating an impediment to logical development.

Properties affected:
 021,211,002 Harvey C. Hunt

- ? 4 **Allow residential as a principal use in O/P and CR in the area indicated.** Allow replacement of destroyed buildings by building permit only; no land use permit required.

Properties affected:

021,281,007	Joan Hussey	021,261,002	Randal Young
021,281,019	Edward Bernard	021,211,017	Assembly of God
021,281,020	Sulliano Corporation	021,211,018	Daniel & Erin Shanahan
021,281,005	John Bigham	021,211,002	Harvey C. Hunt
021,281,021	San Miguel Telephone Co.	021,281,015	Bonnie Wright
021,281,002	Anna Hernandez	021,281,022	John Clarke
021,261,007	G. R. Work	021,261,005	Susan Johnson
* 021,261,004	JH & BJ Gardner	021,261,003	Laverne Buckman
021,261,001	Randal Young		

Office/Professional to Residential Multi-Family

Purpose: To allow multi-family residential as a primary use; to assure compatibility of land uses with residential uses on the west side of L Street; to encourage the location of office uses on Mission Street, where vacant or undeveloped parcels are available and where such uses are more appropriately located.

Properties affected:
 All properties from amendment #4, above, except 021,261,001 and 002 Randal Young

Office/Professional and Commercial Service to Commercial Retail

Purpose: To facilitate the establishment of land uses that could provide a more visually appealing linkage between the Mission and the downtown than is possible with the existing Commercial Service category.

Need clarification

Suggest single family RSF

all of OP, CS, CR OK

6

Properties affected:

021,331,022	Gerald & Grace Taylor	021,311,013	Richard Griffin
021,331,023	Gerald & Grace Taylor	021,311,014	Timothy Hart
021,331,019	JCH Family Ltd Partnership	021,311,015	William & Karen Montgomery
021,331,018	Arthur Zack	021,311,016	Jeffery & Brenda Hoffert
021,331,004	Clifford Brewen	021,311,008	David Desilva
021,351,001	Thelma Awalt	021,311,006	Stan & Krista Gonzales
021,354,002	Thelma Awalt	021,311,007	Barbara Gonzales
021,354,004	James Claassen	021,312,001	San Miguel Flouring Mill Co.

OK 7

Industrial to Residential Single-Family

Purpose: To extend the Residential Single-Family category to coincide with the revised boundaries of a parcel recently acquired from the Union Pacific railroad.

Properties affected:

021,221,009 Southern Pacific Transportation Co.

OK 8

Industrial to Commercial Retail

Purpose: Same as item 2, above

Properties affected:

021,221,001 Raymond Barker
021,221,008 F C Kullgren
021,221,010 San Miguel Community Services District
021,221,012 San Miguel Fire District
021,221,007 Gordon & Victoria Berg

OK 9

Industrial to Commercial Service

Purpose: To enable a wider range of commercial retail uses and public parks and playgrounds, while continuing to allow light industrial uses which are compatible with adjacent residential and commercial service districts.

Properties affected:

021,221,009 Southern Pacific Transportation Co.

10

Residential Suburban to Residential Multi-Family with 35-unit maximum

Purpose: To enable development on these parcels consistent with the development allowed on similarly-located parcels to the north and south along the west bank of the river.

Properties affected:

021,401,011 Raymond Barker
021,401,004 Raymond Barker
021,401,012 Raymond Barker
021,401,007 Raymond Barker

11

Residential Single-Family to Residential Multi-Family

Purpose: To provide a logical transition zone between the Commercial Service district facing on N Street and the Residential Single-Family district to the east and to more accurately reflect the actual development of the area immediately across River Road to the north.

Properties affected:

021,241,001 Laverne Buckman
021,241,017 Jesse DeFreese
021,192,020 Jeffrey R. Elmore
021,192,021 Kevin Bohner

Leave residential single family

Leave RSP

clarify

1-72

6

Properties affected:

021,331,022	Gerald & Grace Taylor	021,311,013	Richard Griffin
021,331,023	Gerald & Grace Taylor	021,311,014	Timothy Hart
021,331,019	JCH Family Ltd Partnership	021,311,015	William & Karen Montgomery
021,331,018	Arthur Zack	021,311,016	Jeffery & Brenda Hoffert
021,331,004	Clifford Brewen	021,311,008	David Desilva
021,351,001	Thelma Awalt	021,311,006	Stan & Krista Gonzales
021,354,002	Thelma Awalt	021,311,007	Barbara Gonzales
021,354,004	James Claassen	021,312,001	San Miguel Flouring Mill Co.

7

Industrial to Residential Single-Family

Purpose: To extend the Residential Single-Family category to coincide with the revised boundaries of a parcel recently acquired from the Union Pacific railroad.

Properties affected:

021,221,009 Southern Pacific Transportation Co.

8

Industrial to Commercial Retail

Purpose: Same as item 2, above

Properties affected:

021,221,001 Raymond Barker
 021,221,008 F C Kullgren
 021,221,010 San Miguel Community Services District
 021,221,012 San Miguel Fire District
 021,221,007 Gordon & Victoria Berg

9

Industrial to Commercial Service

Purpose: To enable a wider range of commercial retail uses and public parks and playgrounds, while continuing to allow light industrial uses which are compatible with adjacent residential and commercial service districts.

Properties affected:

021,221,009 Southern Pacific Transportation Co.

10

Residential Suburban to Residential Multi-Family with 35-unit maximum

Purpose: To enable development on these parcels consistent with the development allowed on similarly-located parcels to the north and south along the west bank of the river.

Properties affected:

021,401,011 Raymond Barker
 021,401,004 Raymond Barker
 021,401,012 Raymond Barker
 021,401,007 Raymond Barker

11

Residential Single-Family to Residential Multi-Family

Purpose: To provide a logical transition zone between the Commercial Service district facing on N Street and the Residential Single-Family district to the east and to more accurately reflect the actual development of the area immediately across River Road to the north.

Properties affected:

021,241,001 Laverne Buckman
 021,241,017 Jesse DeFreese
 021,192,020 Jeffrey R. Elmore
 021,192,021 Kevin Bohner

- Concern: wants higher income housing "Diversity"
- Locations
- Focus retail

- No concerns regarding...

Leave residential single family

Leave RSF

Clarify



AIR POLLUTION
CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

1-73

October 18, 2005

Shawna Scott
Morro Group, Inc.
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

SUBJECT: APCD Comments Regarding the Proposed San Miguel Urban Area General Plan Amendments (LRP2004-00026)

Dear Ms. Scott,

Thank you for including the APCD in the environmental review process. We have completed our review of the General Plan Amendments for the San Miguel Urban Area. The proposal is to change several land use designations within the town's Urban Reserve Line (URL) and the applicable urban area standards to support these changes. There are eleven (11) separate infill amendments that are being proposed. *The following are APCD comments that are pertinent to the proposed General Plan Amendments.*

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

The land use goals and policies of the APCD's Clean Air Plan (CAP) encourage balance of residential and commercial development infill within the existing County URL/VRLs.

Enabling residents the opportunity to live, work and shop within areas that utilize Smart Growth principles, reduces the need to drive and minimizes vehicle exhaust emissions which account for over 50% of the County's air pollution. The proposed San Miguel Urban Area amendments have the following aspects that support these CAP goals:

- Allowing mixed use development for all properties facing Mission Street within the designated Central Business District;
- Correcting multiple land use designations of some parcels that has impeded infill development;
- Replacing the existing Commercial Services (CS) category on Mission Street near the San Miguel Mission to Commercial Retail (CR) thus providing a better linkage between the Mission and the downtown area;
- Replacing Industrial (IND) properties in the downtown area with CS, CR, & Residential Single-Family (RSF) as to be contiguous with adjacent properties; and,
- Providing more residential density by replacing existing undeveloped Residential Suburban (RS) and RSF categories with the Residential Multi-Family (RMF) category

for some parcels in the central area, east of the railroad between River Road and 11th Street.

The APCD supports these San Miguel Urban Area General Plan amendments as they are consistent with the Smart Growth Principles adopted by the SLO County Board of Supervisors on June 7, 2005. They are consistent with many of the land use planning goals in the APCD CAP.

SPECIFIC COMMENTS

Beyond the APCD support for the General Plan amendments, the following air quality aspects need to be addressed during future development of the affected parcels:

1. Train Idling

Some of the amendments will allow additional residences to be placed downwind of diesel exhaust from train activity on the adjacent railroad tracks. In July of 1999 the California Air Resources Board (ARB) listed diesel particulate matter (diesel PM) emissions from diesel-fueled engines as a toxic air contaminant with no identified threshold level below which there are no significant effects. **To minimize impacts from locomotive diesel PM emissions, the APCD recommends that the County, the San Miguel Advisory Committee and future developers of these sites work with the railroads to ensure train operation precautions are implemented that reduce diesel PM emissions and impacts to surrounding developments.**

2. Mixed Use Incompatibility

As individual projects move forward it is important to keep in mind that some uses may not be compatible and could result in potential nuisance problems (i.e. odors and/or dust). Therefore, it is essential that individual uses be carefully evaluated prior to issuance of an APCD use permit. The following uses could be problematic if residential quarters are included in the same building.

- Nail Salons
- Dry-cleaners
- Coffee Roasters
- Gasoline Stations
- Furniture refurbishing/refinishing
- Any type of Spray Paint Operation

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

3. Future Development of the Parcels Affected by the Amendments

Below are some APCD comments that will be applicable to the parcels affected by the amendments as they are developed. Depending on the type and scale of the individual projects, some of these comments may need to be modified and other air quality mitigation measures may need to be added. To determine whether additional air quality mitigation and APCD comments are appropriate for a future project, please consult with APCD staff or the APCD's CEQA Air Quality Handbook.

CONSTRUCTION PHASE MITIGATION

Dust Control Measures

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. **APCD staff recommend the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible;
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- All dirt stock-pile areas should be sprayed daily as needed; and
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

1-76

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators (50 hp or greater);
- IC engines;
- Unconfined abrasive blasting operations;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

OPERATIONAL PHASE AIR QUALITY MITIGATION

If a future project is compared against screening models within the APCD's Air Quality Handbook and that comparison indicates that operational phase impacts will likely be less than the APCD's CEQA Tier I significance threshold value of 10 lbs of emissions per day, then APCD does not require operational phase mitigation measures for the project with the below exception. If the comparison indicates that operational phase impacts will likely be greater than the Tier I threshold, then forward the project to the APCD for review.

Residential Wood Combustion

Under APCD Rule 504, **only APCD approved wood burning devices can be installed in new dwelling units.** These devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of

1-77

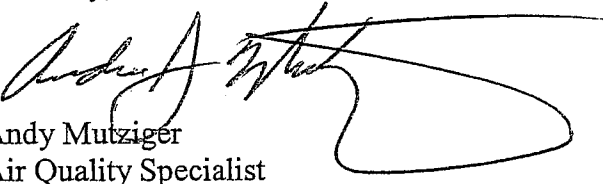
particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;

- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

Sincerely,



Andy Mutziger
Air Quality Specialist

AJM/sll

cc: John Hand, SLO County Department of Planning & Building
San Miguel Advisory Committee
Tim Fuhs, SLOAPCD Enforcement Division
David Dixon, SLOAPCD District's Engineering Division
Karen Brooks, SLOAPCD Enforcement Division

Attachment: NOA Exemption Form

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1-78

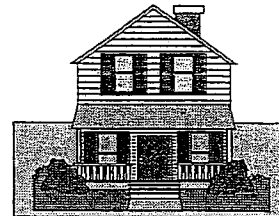
Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form

Attachment 1

Send To:

San Luis Obispo County
Air Pollution Control District
3433 Roberto Court
San Luis Obispo, CA 93401

Phone (805) 781-5912
Fax: (805) 781-1002



Applicant Information/ Property Owner		Project Name	
Address		Project Address and /or Assessors Parcel Number	
City, State, Zip		City, State, Zip	
Phone Number	Date Submitted	Agent	Phone Number

The District may provide an exemption from Section 93105 of the California Code of Regulations - Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying, And Surface Mining Operations for any property that has any portion of the area to be disturbed located in a geographic ultramafic rock unit; if a registered geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock is likely to be found in the area to be disturbed. Before an exemption can be granted, the owner/operator must provide a copy of a report detailing the geologic evaluation to the District for consideration. The District will approve or deny the exemption within 90 days. An outline of the required geological evaluation is provided in the District handout "**ASBESTOS AIRBORNE TOXIC CONTROL MEASURES FOR CONSTRUCTION, GRADING, QUARRYING, AND SURFACE MINING OPERATIONS – Geological Evaluation Requirements.**"

APPLICANT MUST SIGN BELOW:

I request the San Luis Obispo County Air Pollution Control District grant this project exemption from the requirements of the ATCM based on the attached geological evaluation.

Legal Declaration/Authorized Signature:

Date:

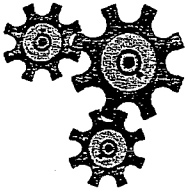
OFFICE USE ONLY - APCD Required Element – Geological Evaluation

Intake Date:	APCD Staff:	OIS Site #:	OIS Proj. #:
Date Reviewed:	APCD Staff:	Approved	Not Approved

Comments:

Naturally Occurring Asbestos - Construction & Grading Project Form

1-79



Send To:
San Luis Obispo County Air
Pollution Control District
3433 Roberto Court
San Luis Obispo, CA 93401
805-781-5912



Applicant Information/Property Owner		Project Name	
Address		Project Address and/or Assessors Parcel Number	
City, State, Zip		City, State, Zip	
Phone Number	Date Submitted	Agent	Phone Number

Check Where Applicable	ITEM	APCD REQUIRED ELEMENT 1	APCD REQUIRED ELEMENT 2
	Project IS NOT Subject to NOA Requirements	Mapped Location Attached	
	Project IS Subject to NOA Requirements but NOT Disturbing NOA	Geological Evaluation Attached	Exemption Request Form Attached
	Project IS Subject to NOA Requirements and Project is Disturbing NOA - More than One Acre	Geological Evaluation Attached	Dust Control Measure Plan Attached
	Project IS Subject to NOA Requirements and Project is Disturbing NOA - One Acre or Less	Geological Evaluation Attached	Mini-Dust Control Measure Plan Attached

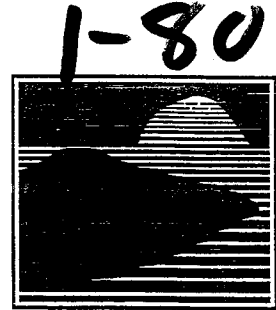
APPLICANT MUST SIGN BELOW:

Legal Declaration/Authorized Signature:

Date:

OFFICE USE ONLY - APCD Required Elements

Geological Evaluation		Exemption Request Form		Dust Control Measure Plan		Monitoring, Health & Safety Plan	
Approved		Approved		Approved		Approved	
Not Approved		Not Approved		Not Approved		Not Approved	
Comments:		Comments:		Comments:			
APCD Staff:		Intake Date:	Date Reviewed:	OIS Site #		OIS Proj. #	
REQUEST FOR INVOICE:		Basic Fee:	Additional Fees:	Billable Hrs:		Total Fees:	



GENERAL SERVICES
05 SEP 15 AM 11:05

PROJECT REFERRAL

DATE: September 13, 2005

TO: ATTN: Jan DiLeo
FROM: Division of Parks and Recreation, Department of General Services
County of San Luis Obispo
1087 Santa Rosa Street
San Luis Obispo, CA 93408

MORRO
GROUP, INC.
Environmental Services

TO: Shawna Scott, Morro Group, Inc.
FROM: C/o County Planning and Building Department

SUBJECT: San Miguel Urban Area General Plan Amendments

PROJECT DESCRIPTION: County request to amend the Salinas River Area Plan to allow changes to land use categories and planning area standards to enable urban development within the San Miguel urban reserve line to achieve consistency with the community vision (refer to attachments).

PART 1 IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X YES (Please go on to Part II)

_____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

X NO (Please go on to Part III)

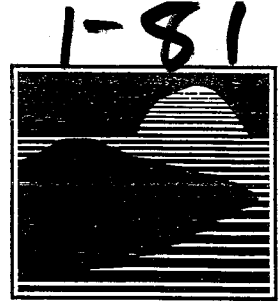
_____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL (805) 543-7095 extension 111.**

NO COMMENT

Response Date: 9/23/05 Name: SHAUN COOPER 781-4388

Please **return this letter with your comments as soon as possible.**



PROJECT REFERRAL

MORRO
GROUP, INC.
Environmental Services

DATE: September 13, 2005

TO: ATTN: Lynda Auchinachie
County Agricultural Commissioner's Office
2156 Sierra Way, Suite A
San Luis Obispo, CA 93401

FROM: Shawna Scott, Morro Group, Inc.
C/o County Planning and Building Department

SUBJECT: San Miguel Urban Area General Plan Amendments

PROJECT DESCRIPTION: County request to amend the Salinas River Area Plan to allow changes to land use categories and planning area standards to enable urban development within the San Miguel urban reserve line to achieve consistency with the community vision (refer to attachments).

PART 1 IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL (805) 543-7095 extension 111.**

NO COMMENT

Response Date: 9/16/05

Name: Lynda Auchinachie

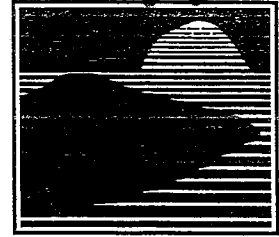
Please return this letter with your comments as soon as possible.

1-82

SEP 13 2005

COUNTY OF MONTEREY

PROJECT REFERRAL



MORRO
GROUP, INC.
Environmental Services

DATE: September 13, 2005

FROM

ATTN: Richard Marshall
County Public Works Department
County Government Center Room 207
San Luis Obispo, CA 93408

FROM

Shawna Scott, Morro Group, Inc.
C/o County Planning and Building Department

SUBJECT: San Miguel Urban Area General Plan Amendments

PROJECT DESCRIPTION: County request to amend the Salinas River Area Plan to allow changes to land use categories and planning area standards to enable urban development within the San Miguel urban reserve line to achieve consistency with the community vision (refer to attachments).

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

- ☒ YES (Please go on to Part II)
- ☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☒ NO (Please go on to Part III)
- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL (805) 543-7095 extension 111.

THERE COULD BE MINOR CHANGES TO REQUIREMENTS FOR CGP SW
WHERE WE CHANGE FROM RES OR RSF TO RMF OTHERWISE IT
SHOULD PASS PW pretty much UNNOTICED.

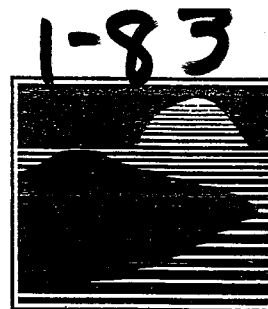
Response Date: 20 OCT 2005 Name: GOODWIN

Please return this letter with your comments as soon as possible.

RECEIVED

SEP 26 2005

Planning & Bldg



MORRO
GROUP, INC.
Environmental Services

PROJECT REFERRAL

DATE: September 13, 2005

TO: ATTN: Robert Lewin
CDF/San Luis Obispo County Fire
635 North Santa Rosa Street
San Luis Obispo, CA 93401

FROM: Shawna Scott, Morro Group, Inc.
C/o County Planning and Building Department

SUBJECT: San Miguel Urban Area General Plan Amendments

PROJECT DESCRIPTION: County request to amend the Salinas River Area Plan to allow changes to land use categories and planning area standards to enable urban development within the San Miguel urban reserve line to achieve consistency with the community vision (refer to attachments).

PART 1 IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

_____ YES (Please go on to Part II)

_____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

_____ NO (Please go on to Part III)

_____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL (805) 543-7095 extension 111.

THIS AREA IS SERVED BY THE SAN MIGUEL
DISTRICT FIRE DEPT. NOT CDF/COUNTY FIRE

Response Date: 9-22-05 Name: [Signature]

Please return this letter with your comments as soon as possible.

1-84



PROJECT REFERRAL

MORRO
GROUP, INC.
Environmental Services

DATE: December 5, 2005

TO: John Burch
14650 Morro Road
Atascadero, CA 93422

FROM: Shawna Scott, Morro Group, Inc.
C/o County Planning and Building Department

SUBJECT: San Miguel Urban Area General Plan Amendments

PROJECT DESCRIPTION: - County request to amend the Salinas River Area Plan to allow changes to land use categories and planning area standards to enable urban development within the San Miguel urban reserve line to achieve consistency with the community vision (refer to attachments).

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒

YES (Please go on to Part II)

☐

NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐

NO (Please go on to Part III)

☒

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL (805) 543-7095 extension 111.**

Areas #7, 10, 11 changes could have more of an impact on Cultural Resources. Any new development in these areas would need an EIR created with Salinan tribe input. And a qualified Salinan Consultant to be included any mitigation concerning certain future projects in these areas

Response Date: 12-18-05 Name: John Burch

Please return this letter with your comments as soon as possible.

1-85

11/19/2006



**MORRO
GROUP, INC.**
Environmental Services

PROJECT REFERRAL

DATE: December 9, 2005
TO: Mr. Jon Germer
Union Pacific Railroad
FROM: Shawna Scott, Morro Group, Inc.
C/o County Planning and Building Department
SUBJECT: San Miguel Urban Area General Plan Amendments

PROJECT DESCRIPTION: County request to amend the Salinas River Area Plan to allow changes to land use categories and planning area standards to enable urban development within the San Miguel urban reserve line to achieve consistency with the community vision (refer to attachments).

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

 X YES (Please go on to Part II)
 NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

 NO (Please go on to Part III)
 X YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL (805) 543-7095 extension 111.

Attached

Response Date: _____ Name: _____

12/06/05

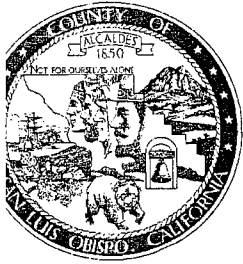
Kevin Boles

- Rezone OK
- Major concern: in court re: safety issues tracks betw. res and school
- pedestrian safety
- comment letter to County
 - ①. Mou/agmt: nec. impr. for zoning along RR
 - ② Ped, vehic, fencing
 - ③ \$ how to pay for
- Gilroy, all dev, fencing
 - ④ Impact fee, fair share, esp east side
- Letter, to be signed by upper mgmt.
- meetings to discuss ≈ 10 days

1/17

IDLING : John Gerner

- No yard, siding
 - Heavy customers (local train)
 - Infrequent occurrence.
 - Statewide Mou, Jan 27
 - 20 min shut down, auto
 - 1 hour, manual
 - working idle
- fuzzy



1-87
SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

June 3, 2006

For UPS mailing use: State Clearinghouse 1400 Tenth St. Sacramento, CA 95814

For U.S. Postal Mailing: State Clearinghouse P.O. Box 3044 Sacramento, CA 95812-3044

**SUBJECT: STATE CLEARINGHOUSE SUBMITTAL OF THE
PROPOSED NEGATIVE DECLARATION FOR SAN MIGUEL URBAN AREA GENERAL
PLAN AMENDMENTS;**

Enclosed are fifteen copies (paper and/or CD) of the Proposed Negative Declaration for the above referenced project. The document is being submitted to the clearinghouse for distribution in accordance with Sections 15085 or 15075 of the State CEQA Guidelines. For CD distribution, please refer to the second page of the submittal form. If you have any questions, or need more information from us, please contact me at 805/781-5702.

Sincerely,

James Caruso
Senior Planner

1-88